

# JOURNAL

OF THE

# SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON MON.

DAY THE SIXTEENTH DAY OF OCTOBER, 1820, AND OF THE

COMMONWEALTH, THE TWENTY-NINTH.

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FRANKFORT:

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# JOURNAL

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## SENATE.

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**A**T A GENERAL ASSEMBLY for the commonwealth of Kentucky, begun and held at the Capitol in the town of Frankfort, on Monday the 16th day of October, 1820, and of the commonwealth the 29th.

It being the day appointed by law for the annual meeting of the General Assembly, William T. Barry, Lieut. Governor, appeared and took the chair, and the following members of the senate appeared and took their seats, to-wit:

From the counties of Caldwell, Livingston and part of Trigg, Dickson Given; Henderson, Union and Hopkins, William R. Weir; Christian, Todd and part of Trigg, Young Ewing; Butler, Muhlenburg and Grayson, William Worthington; Warren and Allen, Cornelius Turner; Barren and part of Monroe, John Gorin; Adair and Casey, William Owens; Cumberland, Wayne and part of Monroe, William Wood; Pulaski, Thomas Dollerhide; Ohio, Daviess and Breckinridge, Nathan D. Anderson; Hardin and Bullitt, James Crutcher; Green and Hart, Elias Barbee; Jefferson, Alexander Pope; Nelson, Samuel M'Lean; Washington, Thomas G. Harrison; Henry, David White, jr.; Shelby, James Ford; Mercer, Jeremiah Briscoe; Garrard, John Faulkner; Madison, Humphrey Jones; Lincoln and Rockcastle, James Davidson; Boone and Campbell, Richard Southgate; Franklin and Owen, John J. Marshall; Woodford and Jessamine, Herman Bowmar; Fayette, Matthews Flournoy; Clarke, Richard Hickman; Montgomery and Estill, Samuel L. Williams; Bath and Floyd, Alexander Lackey; Greenup and Lewis, Thompson Ward; Mason, John Pickett; Fleming, William P. Roper; Nicholas and Bracken, Thomas Throckmorton; Harrison, Josephus Perrin; Bourbon, Henry Clay, and Scott Rodes Smith.

The said Weir, Turner, Gorin, Owens, Dollerhide, Anderson, Crutcher, Barbee, Briscoe, Faulkner, Marshall, Bowmar, Flournoy, Williams, Ward, Throckmorton, Clay and Smith, severally produced certificates of their having been elected at the last general election, and took the oaths prescribed by the constitution and laws of the state.

Willis A. Lee was then elected clerk, Anthony Crockett Sergeant at Arms, and John Crutcher Door-keeper, the two former unanimously.

*Ordered*, That a committee of propositions and grievances be appointed, and thereupon a committee was appointed consisting of Messrs. Ewing, Jones, Bowmar, Flournoy, Marshall, Slaughter, Davidson, Anderson and Wood, and such other members as may from time to time choose to attend ; who are to meet and adjourn from day to day, and take into consideration all propositions and grievances that may be referred to them from time to time, and to report their proceedings, together with their opinion thereupon, to the senate ; and the said committee shall have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of privileges and elections be appointed, and thereupon a committee was appointed consisting of Messrs. Faulkner, Crutcher, Ward, Perrin, Hickman, Weir and Gorin, who are to meet and adjourn from day to day, and take under consideration and examine in the first place, all the returns for the election of senators to serve in the present general assembly, and to compare the same with the forms prescribed by law, and to take into consideration all questions concerning privileges and elections, and report their proceedings, together with their opinion thereupon, to the senate ; and the said committee shall have power to send for persons, papers and records, for their information.

*Ordered*, That a committee for courts of justice be appointed, and thereupon a committee was appointed, consisting of Messrs. Roper, Owens, Southgate, White, Pope, Eve and Given, who are to meet and adjourn from day to day, and take into consideration all matters relating to courts of justice, and such other matters as shall from time to time be referred to them, and report their proceedings, together with their opinion thereupon, to the senate ; and the said committee are to inspect the journal of last session, and draw up a statement of the matters then depending and undetermined, and the progress that was made therein ; also to examine what laws have expired since the last session, and inspect such temporary laws as are near expiring ; and to report

the same to the senate, with their opinion which of them ought to be revived and continued ; and the said committee shall have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of Religion be appointed, and thereupon a committee was appointed, consisting of Messrs. Dollerhide, Briscoe, Luckey, Ford, Worthington, Turner and Smith, who are to meet and adjourn from day to day, and take into consideration all matters and things relating to religion and morality, and such other matters as may from time to time be referred to them, reporting their opinion thereupon to the senate ; and the said committee shall have power to send for persons, papers and records, for their information.

Cuthbert S. Anderson was then elected clerk to said committees.

A message from the house of representatives by Mr. Howard :

*Mr. Speaker*,

The house of representatives have formed a quorum, elected their officers, and are now ready to proceed to legislative business.

And then he withdrew.

*Ordered*, That Mr. Ewing inform the house of representatives that the senate have formed a quorum, elected their officers, and are now ready to proceed to legislative business.

A message from the house of representatives by Mr. Garrard :

*Mr. Speaker*,

The house of representatives have adopted a resolution for appointing a joint committee of two from the senate and four from the house of representatives, to wait on the Governor and inform him that the legislature is organized, and are now ready to receive any communication he may think proper to make, in which they request the concurrence of the senate.

And then he withdrew.

The resolution was taken up and concurred in, and Messrs. Owens and Faulkner, were appointed a committee on the part of the senate.

*Ordered*, That Mr. Owens inform the house of representatives thereof.

The committee retired and after a short time returned, and Mr. Owens reported, that the joint committee had performed

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the duty assigned them, and were informed by the Governor that he would make a communication in writing by way of message, to both branches of the legislature in their respective chambers on to-morrow at eleven o'clock.

*Ordered*, That a joint committee for enrolled bills, be appointed on the part of the senate; and thereupon a committee was appointed, consisting of Messrs. Slaughter, Williams and Barbee.

*Ordered*, That the clerk inform the house of representatives thereof.

*Ordered*, That the rules of last session be adopted as the rules during the present session; and that the public printers forthwith strike 150 copies thereof, for the use of the members.

And then the senate adjourned.

TUESDAY, OCTOBER 17, 1820.

The senate assembled.

Joseph Eve a member of the senate from the counties of Clay, Knox, Whitley and Harlan, and Thomas S. Slaughter from the counties of Logan and Simpson, severally appeared and took their seats.

*Ordered*, That the clerk be permitted to avail himself of the assistance of Jacob Swigert in the execution of his office, during the present session.

On the motion of Mr. Owens leave was given to bring in a bill to form a new judicial district, and to regulate certain judicial districts, and Messrs. Owens, Eve, Davidson, Barbee and Wood, were appointed a committee to prepare and bring it in.

The senate received a message in writing from the Governor, by Mr. Secretary Breckinridge, which was taken up and read as follows, to-wit:

*Gentlemen of the Senate,*

*and of the house of Representatives.*

From the short period that has elapsed since I came into office, it will not be expected, that I can give you much information, that will aid you in performing your legislative duties.

Selected from every part of the state, and possessing a knowledge of the feelings, the wishes, and wants of the community, it will be for you, gentlemen, to adopt and enact such measures, as will contribute most to alleviate distress,



to prevent useless and impolitic sacrifices of property on the one hand, whilst you steadily keep in view justice and the general policy of the state on the other.

It will be admitted by all, that the people of this state, feel at this time a severe and universal pressure in their monied transactions: To relieve them in some measure is, I trust, the wish of all. Different views will be entertained as to the best means of effecting so desirable an object, by members from different parts of the state. A successful termination can only be hoped for from cool, dispassionate deliberation and sound reason. A high exercise of charity and mutual forbearance towards the opinions of each other, will be found most useful in all deliberative bodies, and will most effectually lead to a favorable termination of your arduous and important duties.

Whilst we feel and lament the difficulties we labour under in our monied transactions, we have sufficient cause of gratitude to the Supreme Disposer of events, for the bountiful crops, with which our state is favored, and the great degree of general good health which our citizens enjoy.

Our penitentiary establishment will require your early attention. That institution (organized and intended for the wise, humane purpose of uniting mercy with justice) from the increased and increasing number of convicts; and the decayed state of the buildings, originally too small to afford the benefits of solitary confinement and convenient room for labour, will be found at this time altogether insufficient. A thorough examination by some members of your own body, will be necessary to enable you to adopt such measures as you may judge most conducive to promote the public good, and to realise the hopes of the state in establishing that institution.

Although many worthy, industrious citizens labour under considerable individual embarrassments, arising chiefly from the want of a market for their surplus produce, yet it will be found on examination, that the funds of the state, are amply sufficient for all necessary, and some useful purposes. It is then worthy the consideration of the legislature, whether the present is not a favorable time to make valuable and lasting improvements. Labour is now low, and the state would thus find employment for many of her useful citizens.

Should you, gentlemen, agree with me in opinion on this subject, permit me to recommend to your attention, as an object of the first importance and usefulness to the state, the navigation of the Ohio river from Louisville to its mouth.—



All other and further improvements in the navigation of our waters, will derive their utility in a great degree, from this first object. From information acquired whilst a commissioner on the Ohio, I have no hesitation in giving it as my opinion, that a safe and certain navigation may be made for steam boats (drawing six feet) at the lowest stage of the water. The labor may be performed during any one summer, and the expense will be more than doubly reimbursed in every succeeding fall, to the citizens of the state. May we not reasonably hope too that the states of Indiana, Tennessee and Ohio, will aid in an undertaking, so evidently useful to all. It will be found beneficial in this (as in most cases) to call the attention of the state, and direct her energies to a single object, until it is completed; once completed, its usefulness will point out more clearly than any reasoning on the subject, the necessity of farther improvements in our smaller streams. In a government like ours, where the laws alone bear rule, and where those laws emanate from the people, the importance and even necessity of education amongst all classes of the citizens, will be universally felt and acknowledged. It remains only for the legislature on this highly interesting subject, to select and pursue that course, which will seem to promise the greatest benefit, in the shortest period of time and at the least expence.

Former legislatures have, perhaps wisely, made considerable donations of land, to the several counties for the purpose of establishing primary schools or seminaries of learning; but little benefit has yet been produced to the community at large from those donations. Whether this failure has arisen from a too great diffusion of the means or from the difficulty of procuring teachers well qualified to take charge of these schools, or from both causes, is not now material to inquire. Both those difficulties may be obviated, by turning your attention at this time to our university, the great head or fountain, from which streams will flow to fertilize and improve the human mind, in every section of the state. By aiding our university, by putting it in its power to become useful in every department of science which it is prepared to teach, you will promote the real interest of the community at home, and give dignity and weight of character to the state abroad. Thus we may reasonably hope in a few years, to see our primary schools furnished with well qualified teachers, raised and educated amongst ourselves, possessing the morals, manners, and habits of our country. Such men too, from their connexions in the state, will have a weight of character to support, not always attached to itinerants.

Permit me, gentlemen, to call your attention likewise, to the present mode of supporting lunatics and other persons of unsound mind, throughout the state. It will be found by a reference to the Auditor's books, that this expense has been increasing annually for several years. It requires only a plain calculation by figures to show to the understanding of every one, that much of this expense may be saved, by preparing the Hospital now established in Lexington, for the reception and maintenance of those unfortunate fellow-beings.— There they will be better provided for, and at a less expense than under the present mode, in the different counties. They will have the best medical aid the state affords, gratis ; and if only one in twenty of those unfortunate beings, laboring under the most dreadful of all maladies, should be restored, will it not be a cause of gratulation to a humane and generous public ?

From the resignation of the honorable William Logan, a senator of the United States from this state, it becomes your duty to fill that vacancy for the balance of the term for which he was elected, at an early period of the present session.

Accept, gentlemen, my good wishes for your health and successful labours for the good of our common country, and believe me sincerely,

Your most ob't. servant.

JOHN ADAIR.

Frankfort, Oct. 17, 1820.

*Ordered*, That the public printers forthwith strike 500 copies of said message for the use of the senate.

Mr. White read and laid on the table the following resolution, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That they will on Thursday the 19th instant, proceed by joint vote of both branches of the legislature, to elect a senator to congress, to fill the vacancy occasioned by the resignation of the honorable William Logan.

And thereupon the rule being dispensed with, the said resolution was taken up, twice read, and adopted.

*Ordered*, That the clerk inform the house of representatives thereof and request their concurrence.

*Ordered*, That Mr. Ewing inform the house of representatives that the back seats on the right and left of the door, are appropriated for the use of the members of that house and the officers of government, whenever they may choose to attend the debates.

A message from the house of representatives by Mr. M'Millan.

*Mr. Speaker,*

The house of representatives concur in the resolution from the senate, fixing on a day for the election of a senator in congress.

And then he withdrew.

And then the senate adjourned.

WEDNESDAY, OCTOBER 18, 1820.

The senate assembled.

Mr. Ewing presented the petition of Elizabeth Alexander representing that she is settled on a piece of vacant land in Christian county, and unable to pay the state price therefor, and praying a donation thereof.

Mr. Owens presented the report of Philemon Waters, one of the commissioners for Salt river and its branches.

Which were severally read, and together with the documents accompanying them, referred to the committee of propositions and grievances.

The senate received from the governor a message in writing, by Mr. secretary Breckinridge, and the rule being dispensed with, it was taken up and read as follows, to-wit:  
*Gentlemen of the Senate,*

I nominate for your advice and consent, Richard C. Napier, sheriff of Casey county, in the place of Jacob Johnston, deceased.

JOHN ADAIR.

October, 17th, 1820.

*Resolved,* That the senate advise and consent to said appointment, and that Messrs. Owens and Lackey inform the governor thereof.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Ward—1. A bill for the indulgence of the sheriff of Greenup county.

On the motion of Mr. Roper—2. A bill to prevent the circulation of private notes.

On the motion of Mr. White—3. A bill to amend the law concerning use and occupation.

And on the motion of Mr. Ewing—4. A bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands.

*Ordered,* That Messrs. Ward, Lackey and Williams, prepare and bring in the first; Messrs. Roper, White and Mar-

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shall, the second; Messrs. White, Southgate and Pope, the third; and Messrs. Ewing, Weir and Anderson, the fourth.

On the motion of Mr. Flournoy,

*Ordered*, That so much of the governor's communication as relates to the pecuniary embarrassments of the country, be referred to a select committee, and that so much as relates to lunatics, be also referred to a select committee.

And thereupon Messrs. Flournoy, Owens, White, Marshall, Lackey, Ewing and Bowmar, were appointed a committee pursuant to the former, and Messrs. Flournoy, Briscoe, Barbee, Throckmorton, Jones, Clay and Anderson, pursuant to the latter.

On the motion of Mr. White,

*Ordered*, That so much of the governor's communication as relates to internal navigation, be referred to a select committee of Messrs. Pope, Pickett, McLean, Given, Jones, Ward and Southgate.

On the motion of Mr. White,

*Ordered*, That so much of the said message as relates to education, be referred to Messrs. White, Williams, Slaughter, Hickman, Roper, Weir and Davidson.

On the motion of Mr. Jones,

*Ordered*, That so much of the governor's communication as relates to the penitentiary, be referred to a select committee of Messrs. Jones, Southgate, Faulkner, Marshall, Ewing, Turner and Dollerhide.

*Ordered*, That the said committees have leave to report by bill or otherwise.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker*,

The house of representatives have appointed a committee on their part, to co-operate with a committee from the senate, for the examination of enrolled bills.

And then he withdrew.

Mr. Owens read and laid on the table the following resolution, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That two from the senate and four from the house of representatives, be appointed to examine the situation of the government house, furniture, &c. and report their opinion thereon by bill or otherwise.

The rule being dispensed with, the resolution was taken up, twice read and adopted.



*Ordered,* That the clerk inform the house of representatives thereof and request their concurrence.

A message from the house of representatives by Mr. Garrard :

*Mr. Speaker,*

The house of representatives have appropriated the seats right and left of the door for the use of the members of the senate and officers of government, whenever they choose to attend the debates of the house.

And then he withdrew.

The following report of the president of the Bank of Kentucky, of the names of the officers of its branches, was made to the senate, to-wit :

#### BANK OF KENTUCKY, 17th Oct. 1820.

SIR,

I am directed by the act "to amend and continue in force for a longer period, the charter of the Bank of Kentucky," to make a return to you of the names of all the presidents, directors and other officers of the branches. This list I have now the honor of inclosing.

I am, respectfully,

Sir, your most ob't. servant.

ROBT. ALEXANDER, PRES'T.

THE SEC'RY OF THE SENATE.

*A list of the Officers and Directors of the Branches of the Bank of Kentucky.*

#### WASHINGTON BRANCH BANK.

Basil Duke, President. Marshall Key, Peter Lee, Henry Lee, John Chambers, Andrew Wood, Ezekiel Forman, Geo. B. Morton, James Ellis, Directors. Robert Taylor, jr. Cashier. Peyton R. Key, Clerk.

#### PARIS BRANCH BANK.

Daniel Duncan, President. William Scott, William Garrard, jr. Hugh Brent, Robert Trimble, Benjamin Mills, Solomon Spears, John G. Martin, Directors. William Hickman, Cashier. David Clarkson, Clerk.

#### WINCHESTER BRANCH BANK.

Samuel Hanson, President. John Mills, Thomas R. Moore, Cary K. Duncan, Chilton Allen, Samuel M. Taylor, Benjamin H. Buckner, Hubbard Taylor, Directors. Thomas P. Dudley, Cashier. Willis Collins, Clerk.



**LEXINGTON BRANCH BANK.**

Abram S. Barton, President. John Postlethwait, J. C. Richardson, jr. J. C. Breckinridge, Robert Tilford, Robert S. Todd, Thomas Anderson, Alexander Parker, Directors. Farmer Dewees, Cashier. William Henry, jr. 1st Clerk. B. Metcalf, 2d Clerk.

**RICHMOND BRANCH BANK.**

Ezekiel H. Field, President. Curtis Field, Robert Caldwell, Tarlton Embry, John Duncan, R. A. Sturgus, William Stone, R. G. Williams, John Patrick, Directors. William Williams, Cashier. R. C. Holder, Clerk.

**DANVILLE BRANCH BANK.**

James Birney, President. David Bell, James Barbour, Joshua Barbee, E. M'Dowell, Joseph Weisiger, M. G. Youce, John Warren, Henry Speed, Directors. Benjamin H. Perkins, Cashier. Willis Curd, Clerk.

**SHELBYVILLE BRANCH BANK.**

Wingfield Bullock, President. James Moore, John Willett, John Bradshaw, George Woolfolk, John Logan, Mark Hardin, Joseph Venable, William Taylor, Directors. Abram Smith, Cashier. Fielding Winlock, Clerk.

**SPRINGFIELD BRANCH BANK.**

Elias Davison, President. Jos. B. Lancaster, E. B. Gaither, N. H. Hall. W. T. Phillips, R. H. Nantz, Benedict Spalding, Wm. B. Booker, John Calhoun, Directors. Jack Jouitt, Cashier. Raphael Lancaster, Clerk.

**BARDSTOWN BRANCH BANK.**

William R. Hynes, President. William P. Duvall, Samuel Belmear, Nathaniel Wickliffe, Peter W. Grayson, William Shadburn, Thomas Speed, Daniel S. Howell, Charles Nourse, Directors. James T. Pendleton, Cashier. John M'Meekin, jr. Clerk.

**LOUISVILLE BRANCH BANK.**

Thomas Prather, President. Robert Breckinridge, Cuthbert Bullitt, Dennis Fitzhugh, F. W. S. Grayson, Abram Hite, Daniel Fetter, William Pope, jr. John Edwards, Directors. John Bustard, Cashier. E. T. Baimbridge, Clerk.

**GLASGOW BRANCH BANK.**

Samuel Murrell, Sr. President. Henry Crutcher, Richard Garnett, B. B. Winn, James Hall, William Logan, Joel Yancey, Joseph Winlock, John M'Ferrin, Directors. R. P. Beauchamp, Cashier. J. M. Blain, Clerk.

**RUSSELLVILLE BRANCH BANK.**

Richard Bibb, jr. President. John Breathitt, William J. Morton, Boas Roberts, Reuben Ewing, David Caldwell,

James Wilson, George W. Whitaker, Thomas Nantz, Directors. Joseph D. Hamilton, Cashier. Charles Loffland, Clerk.

### HOPKINSVILLE BRANCH BANK.

James H. M'Laughlin, President. Reizin Dayidge, John Bryan, Thomas Moore, Benj. W. Patton, E. B. Edwards, John Buckner, Edward Morris, Stro. J. Hawkins. Directors. James Clarke, Cashier. O. G. Warfield, Clerk.

And then the senate adjourned.

THURSDAY, OCTOBER 19, 1820.

The senate assembled.

Mr. Barbee from the joint committee of enrolments reported, that they had examined an enrolled resolution fixing a day for the election of a senator in congress, and had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster.

*Mr Speaker,*

The speaker of the house of representatives having signed an enrolled resolution fixing a day for the election of a senator in congress, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed the resolution, and it was delivered to the joint committee of enrolled bills, to be presented to the governor for his approbation and signature.

And Mr. Slaughter from the said committee reported, that they had performed that duty.

The senate received information by Mr. secretary Breckinridge, that the governor did on to-day, approve and sign an enrolled resolution, (which originated in the senate,) fixing on a day for the election of a senator in congress.

*Ordered,* That the clerk inform the house of representatives thereof.

Mr. Gorin presented the petition of Nancy Hindman, representing that her husband in his lifetime, paid the sum of \$11 77. on a removed certificate for a head right claim to land, and that the claim being defective, she had to appropriate the same under a Kentucky land warrant, and praying that said sum may be refunded to her.

Mr. Owens presented the petition of Philemon Waters, one of the commissioners for Salt river, praying that he may have a credit for the sum of \$820 50, which was expended

by him on said river, allowed and certified by the county court of Washington.

Which were severally read and referred to the committee of propositions and grievances.

A message from the house of representatives by Mr. Wickliffe.

*Mr. Speaker,*

I am directed to inform the senate that the house of representatives are now ready to proceed by a joint vote with the senate, to the election of a senator in congress of the United States, for the balance of the term for which Wm. Logan was elected, and that Isham Talbot, John Rowan, Samuel M'Kee and Joseph Desha, stand in nomination.

And then he withdrew.

*Ordered,* That Mr. Owens inform the house of representatives that the senate are ready to proceed in said election, that the same persons stand in nomination before the senate, as those reported from that house, and that they have adopted the rule to drop the hindmost on each ballot, until one of the candidates receive a majority of all the votes.

The senate then proceeded in said election, and upon taking the vote it stood thus :

For Mr. Talbot—Mr. Speaker and messrs. Bowmar, Ewing, Hickman, Lackey, Perrin, Smith, Ward, White and Williams—10.

For Mr. Rowan—Messrs. Briscoe, Crutcher, Flournoy, Given, Harrison, Marshall, M'Lean, Owens, Slaughter, Southgate, Weir and Worthington—12.

For Mr. Desha—Messrs. Anderson, Barbee, Clay, Gorin, Pickett, Roper, Throckmorton and Turner—8.

For Mr. M'Kee—Messrs. Davidson, Dollerhide, Eve, Faulkner, Ford, Jones, Pope and Wood—8.

Messrs. Owens and Bowmar, were then appointed a committee on the part of the senate, to meet a committee from the house of representatives, to compare the votes and report the result.

The committee retired, and after a short time reported, that the joint vote stood thus : For Talbot 42, Rowan 39, M'Kee 28, Desha 26.

Mr. Desha having the lowest number of votes was dropt, and the senate proceeded to take a second vote, which stood thus :

For M. Talbot—Mr. Speaker and Messrs. Bowmar, Clay, Ewing, Hickman, Lackey, Perrin, Pickett, Smith, Throckmorton, Turner, Ward, White and Williams—14.

For Mr. Rowan—Messrs. Anderson, Barbee, Briscoe, Crutcher, Fournoy, Given, Gorin, Harrison, Marshall, M'Lean, Owens, Slaughter, Southgate, Weir and Worthington—15.

For Mr. M'Kee—Messrs. Davidson, Dollerhide, Eve, Faulkner, Ford, Jones, Pope, Roper and Wood—9.

The committee again retired, and reported that the joint vote stood thus :

For Mr. Talbot 59, Rowan 46, and M'Kee 30.

Mr. M'Kee having the lowest number of votes was dropt, and the senate proceeded to take a third vote, which stood thus :

For Mr. Talbot—Mr. Speaker and Messrs. Bowmar, Clay, Eve, Ewing, Ford, Hickman, Lackey, Perrin, Pickett, Roper, Smith, Throckmorton, Turner, Ward, White and Williams—17.

For Mr. Rowan—Messrs. Anderson, Barbee, Briscoe, Crutcher, Davidson, Dollerhide, Faulkner, Fournoy, Given, Gorin, Harrison, Jones, Marshall, M'Lean, Owens, Pope, Slaughter, Southgate, Weir, Wood and Worthington—21.

The committee again retired, and reported that the joint vote stood thus :

Fr. Mr. Talbot 69, and Mr. Rowan 67.

Mr. Talbot having received a majority of all the votes, was thereupon declared duly elected senator to represent this state, in the congress of the United States, for the balance of the term for which William Logan was elected.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have, according to order, had under consideration the petition of Elizabeth Alexander, praying for a donation of a tract of land in Christian county on which she resides, and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said petition is reasonable.

Which was twice read and concurred in.

*Ordered*, That the said committee prepare and bring in a bill pursuant thereto.

And then the senate adjourned.



FRIDAY, OCTOBER 20, 1826.

The senate assembled.

Mr. White presented the petition of sundry citizens of Jefferson, Shelby and Henry counties, praying the erection of a new county out of a part of each.

Also the petition of sundry other citizens of said counties, praying the erection of a new county out of a part of each, of different boundaries.

Mr. Owens presented the petition of sundry citizens of Wayne, Adair and Cumberland counties, praying the erection of a new county out of a part of each.

Mr. Wood presented the petition of sundry persons residing near the line between this state and Tennessee, representing that the line when extended, will probably leave them in uncertainty as to their land titles, they holding titles from North Carolina or Tennessee, and praying that they may have a preference, and a reasonable time allowed to secure their titles from this state.

Mr. McLean presented the petition of James Mackey, praying for a divorce.

Mr. Marshall presented the petition of John A. Markley representing that he is the nephew of John A. Seitz, dec'd. formerly of this state, that the deceased was possessed of considerable property at the time of his death, previous to which time, the petitioner was induced, by the wishes of his uncle, to remove to the United States from Germany, under the promise of his uncle to make him his heir: But previous to his arrival his uncle died intestate, and that owing to his alienage and tender years, he was unable to set up any claim to the estate as heir; and praying that a law may be passed, to invest him with all the rights and privileges, and subject him to all the responsibilities of heir at law to the deceased.

Mr. Gorin presented the petition of John M'Ferrin, late deputy sheriff of Barren county, praying that a law may pass authorising him to draw from the treasury, an overplus paid for the revenue of 1819, more than he collected from the people.

Which were severally read and referred; the first, second and third, to the committee of propositions and grievances, the fourth to the committee for courts of justice, the fifth to the committee of religion, the sixth to a select committee of messrs. Marshall, Owens and Roper, and the seventh to a select committee of messrs Gorin, Pope and Wood.



The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Ewing—a bill further to regulate the payment of the debt due the commonwealth for the sale of vacant land.

By Mr. White—a bill to amend the law concerning use and occupation.

And by Mr. Roper—a bill to prevent the circulation of private notes.

Which were severally read the first time and ordered to be read a second time.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Jones—a bill to repeal the law giving fees to justices of the peace.

And on the motion of Mr. Owens—a bill to regulate appeals from justices of the peace.

And the question being taken on granting leave to bring in the former bill, it was resolved in the affirmative—Yeas 16, Nays 11.

The yeas and nays being required thereon by messrs. Hickman and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—Messrs. Anderson, Barbee, Davidson, Dollerhide, Eve, Faulkner, Flournoy, Gorin, Harrison, Hickman, Jones, Marshall, M'Lean, Roper, Ward, and Wood.

Those who voted in the negative are—Messrs. Briscoe, Ewing, Given, Lackey, Owens, Perrin, Pickett, Pope, Southgate, Turner, and Worthington.

*Ordered*, That messrs. Jones, Harrison and Hickman, prepare and bring in the former, and messrs Owens, Lackey and Hickman, the latter bill.

Mr. Ewing read and laid on the table, a resolution appointing committees to examine the public offices.

And then the senate adjourned.

SATURDAY, OCTOBER 21, 1820.

The senate assembled.

William Mountjoy appeared, produced a certificate of his election as a senator from the counties of Gallatin, Grant and Pendleton, took the several oaths as required by law and the constitution, and took his seat.

Mr. Pope presented the petition of sundry citizens of the county of Jefferson, counter to those presented on yesterday, praying the erection of a new county.

Mr. Jones presented the petition of Green Clay in behalf of a female slave, who stands charged with murder in the Madison circuit court, representing that from the excitement and prejudices against her, she can't have a fair trial, and praying for a change of venue.

Which were severally read and referred, the former to the committee of propositions and grievances, and the latter to the committee for courts of justice.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration the petition of Philemon Waters, one of the commissioners of Salt river and its branches, praying that a law may be passed, allowing him a credit for the sum of 820 dollars 50 cents, expended by him in discharge of his duty, settled and certified by the county court of Washington county ; and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said petition *is reasonable*.

Which being twice read was concurred in.

*Ordered*, That the committee prepare and bring in a bill pursuant to said resolution.

The speaker laid before the senate, a letter from the auditor of public accounts, covering certain official statements, which were laid on the table as follows, to-wit :

AUDITOR'S OFFICE, 21st October, 1820.

DEAR SIR,

You will please lay before the house over which you preside, the accompanying statements from No. 1 to 8, and very much oblige,

Yours respectfully,

PORTER CLAY, AUD.

WILLIAM T. BARRY,

*Lieut. Governor, and Speaker of the Senate.*

The auditor of public accounts has the honor to state to the general assembly, that he is required by the act of 1798, on the 6th day of each annual stated session, to report a general statement, shewing the financial condition of the commonwealth for the whole year ; that his predecessor accordingly reported such a statement up to the 10th of Nov. 1819 ; that as the sixth day of the present session of the general assembly arrives prior to the termination of the year since the last annual report, he has been reduced to the necessity of either deferring his report until the 10th of November next, or to make one for a shorter period than a year. The latter branch of

the alternative has been preferred; and he has now the honor of submitting a report comprising a period of 11 months, beginning on the 10th November, 1819, and ending on the 10th day of October, 1820. Hereafter (should it be deemed necessary by the legislature) he will submit a supplemental report for the remaining month, to complete the year.

I have the honor to be,

Your obedient humble servant,

PORTER CLAY, Aud.

Auditor's office, October 21st, 1820.

No. 1.

*A statement of monies received and paid at the Treasury during eleven months, ending on, and including the 10th day of October, 1820, viz.*

For the revenue collected by sheriffs

for the year	1793,	\$113 33
Ditto	1794,	105 63
Ditto	1796,	680 84
Ditto	1803,	562 86
Ditto	1814,	574 16
Ditto	1815,	2,240 02
Ditto	1816,	1,495 98
Ditto	1817,	128 29
Ditto	1818,	72,846 22
Ditto	1819,	3,410 31—82,157 64

For taxes on law process, deeds, seals and other public documents, viz.

Clerks of courts,	11,940 14
Secretary of state,	1 90—11,942 04
Fines,	711 66
Miscellaneous receipts,	56 28
From the agent of the penitentiary,	19,181 45

For dividends on the state's stock in the Bank of Kentucky, viz.

For the six months ending on the first day of January, 1820,	19,540 87
Ditto on the first day of July 1820,	17,709 14—37,250 01

For tax on stock owned by individuals in the Bank of Kentucky,

7,886 25

For tax on the stock of independent banks,

2,261 38

From the commissioners of internal navigation for monies received in the year 1818, which they did not expend,

1,190 84

For tax on non-residents' lands,

1,137 11

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\$163,774 66

# THE SENATE.

21

Amount brought forward,	163,774 66
For purchases of non-residents' lands,	844 85
For the bank stock fund, viz.	
Lands granted under the acts of 1795, 1797 and 1800, known by the appellation of headrights.	5,247 82
Ditto acts of February, 1815 & 1820,	5,402 68
Ditto Tellico,	159 57
Ditto granted under the act for encouraging the manufacture of salt,	285 40—11,095 47
	<hr/> 175,714 98

Balance to the debit of the treasurer on the 11th day of November, 1819,	53,984 52
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Grand Total,	\$229,699 50
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## PAID.

Warrants reported by the treasurer to have been paid up to the 10th day of Oct. 1820,	159,009 18
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Balance to the debit of the treasurer on the 10th of October, 1820,	\$70,690 32
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## No. 2.

*A statement of warrants drawn by the Auditor on the Treasurer during eleven months, ending on, and including the 10th of October, 1820, shewing the amount drawn for each source of expenditure, the amount of warrants paid and unpaid in the same period, viz.*

Sheriffs for the revenue 1818,	29 62
Bank stock fund,	20,300 00
Loans to the penitentiary,	20,709 74
Sergeant for the court of appeals,	543 62
Contingent expences, including the cost of distributing the acts and journals of the last legislature, and the amount paid A. K. Marshall, reporter of the decisions of the court of appeals.	2,777 67
Draw-backs on vacant lands,	93 11
Public communications,	1,361 49
Pensioners,	60 00
Sheriffs for comparing polls of election,	949 74
Slaves executed,	1,200 00
Littell's Laws of Kentucky,	390 50
	<hr/>

\$48,415 49



## JOURNAL OF

Amount brought forward,	48,415 49
Money refunded for taxes twice paid, &c.	269 70
For the support of Lunatics,	10,935 01
Commissioners of tax,	6,142 37
Military expenditures,	655 29
For the salaries of the Executive and Judiciary Departments,	24,203 41
Attornies for the year 1819,	3,958 20
Appropriation bill, December session, 1819, including the compensation of the several officers of the legislature, public printing, fuel, and all other expences enumerated in the bill, except the compensation to the Speakers in each house,	12,120 45
Legislature, December session, 1819, including the daily attendance and mileage of the members, and the compensation to witnesses,	19,345 76
Criminal prosecutions,	12,877 06
Purchases of non-residents' lands,	751 98
Clerks' services, including ex-officio services, copying commissioners' books, books and presses for the use of their offices,	7,074 94
Executive offices for fuel, stationary, &c.	1,646 07
Jailors for attending circuit courts, dieting criminals, &c.	4,143 16
Public printers,	305 30
Attornies for 1820,	226 50
Surveyors for copying entries under the requisitions of the act of last session,	326 15
Transylvania University, for the use of the medical department,	5,000 00
Public roads,	129 00
Appropriations, December session, 1818,	5 60
State boundary line,	413 00
Sheriffs for 1816,	13 77
Ditto 1817,	20 63
Total amount,	\$158,978 84
Warrants unpaid on the 10th Nov. 1819, that issued since 10th Nov. 1809, all others anterior to the last mentioned date, are presumed to have been paid,	277 49
	159,256 33



# THE SENATE.

23

Amount brought forward,	159,256 36
Warrants reported by the treasurer to have been paid on the 10th October, 1820, (See statement No. 1.)	159,009 13
Warrants unpaid on the 10th October, 1820,	247 15

## No. 3.

*A statement of balances due to the government on the 10th of October, 1820.*

Of the revenue collectable by sheriffs, there are

due for the year	1793,	104 06
Ditto	1794,	138 61
Ditto	1796,	1,865 36
Ditto	1798,	101 36
Ditto	1799,	217 25
Ditto	1800,	172 26
Ditto	1802,	31 99
Ditto	1803,	1,662 21
Ditto	1806,	613 26
Ditto	1807,	279 43
Ditto	1809,	48 58
Ditto	1811,	52 44
Ditto	1815,	10 26
Ditto	1817,	2,269 07
Ditto	1818,	810 64
From clerks for taxes on law process, &c.		3,706 18
Secretary of state,		23 75
From the former treasurer,		2,965 34
Penitentiary for loans,		21,956 80
Commissioners of internal navigation,		761 46
For tax on independent banks,		19,617 01

Total debt due, \$57,407 32

## No. 4.

*A statement of balances due from the government on the 10th day of October, 1820, and with the amount in the Treasury on the same day, is under the existing laws subject to the payment, viz.*

Due to the purchasers of non-residents' lands,	341 79
For warrants unpaid,	247 15
To sheriffs for the year 1813,	69 02
Ditto 1814,	20 00

\$677 96

Amount brought forward,	677 96
Bank stock funds,	879 64
Salaries,	4,937 50
Attornies for 1819,	241 80
Total amount of debt due,	<hr/> \$6,786 90

## No. 5.

*A statement shewing the probable amount of expenditures of the government for the year to end on the 10th October, 1821, viz.*

For the annual salaries of officers of the executive department,	7,900 00
The salaries of the judiciary, attorney general and district attornies,	24,000 00
Ex-officio services of clerks, copying lists of taxable property, books, presses, &c.	9000 00
Legislature, October session, 1820, including the pay of members and officers, fuel, stationary and witnesses,	30,000 00
The sergeant of the court of appeals for attending on said court and general court,	600 00
Military expenditures,	800 00
Postage,	1,200 00
Pensioners,	60 00
Sheriffs' comparing polls of elections,	400 00
Criminal prosecutions,	12,000 00
For the support of lunatics,	12,000 00
For execution of slaves,	2,000 00
Printing and binding the acts of assembly and journals of October session,	2,900 00
Jailors attending circuit courts, dieting criminals, &c.	4,000 00
Commissioners of revenue tax,	7,000 00
Contingent expences,	6,000 00
Fuel, stationary, &c. for executive offices,	2,000 00
Surveyors, for copying entry books in compliance with the act of December session, 1819,	2,500 00
Surveying the lands west of the Tennessee river, under the act of last session,	6,000 00
Total,	<hr/> \$130,360 00

## No. 6.

*A statement of the amount of money which is expected to be paid to the Treasury, in the year to end on the 10th of October, 1821, subject to the expences of government.*

The gross amount of revenue collectable by sheriffs for the year 1819, and made payable on the 1st Monday in December next, is \$97,779 00

The average loss on the collection of revenue by sheriffs, including commission for collecting, insolvents and sums paid by sheriffs under the act giving compensation for killing wolves, it is presumed will be 20 per cent. amounting to 19,555 00

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78,224 00

Of which said revenue there was paid previous to the 10th of October, 1820, \$8,410

There are annually delinquencies on the part of sheriffs, from one to six thousand dollars. It is supposed it will amount in the ensuing year, to 3,000—6,410 00

Which will leave a sum that may be expected with some certainty to be paid in the ensuing year, of 71,814 00

From clerks for tax on law process, deeds, seals, &c. 9,000 00

The register of the land office, 600 00

Secretary of state, 30 00

From non-residents for tax on land, 4,500 00

The bank of Kentucky for the tax on the stock owned by individuals, 8,000 00

The bank of Kentucky for the dividends on 596,700 dollars, stock owned by the state in said institution, for the ensuing year, at six per cent. 35,800 00

Of the bonus arising from independent banks amounting to 19,617 dollars. it is presumed there will not be paid more than 2,000 00

Of the balances stated to be due government as detailed in statement No. 3. there will be collected on account of the revenue for the years 1793—94, 1817 and 18, 3,239 00

Of the balances due for the years 1796—8—9, 1800 2—3—6—7—9—11 and 15, no part will be collected,

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\$134,983 00

Amount brought forward, 134,983 00  
 Of the balance due from clerks, there will be paid 2,000 00  
 Of the other balances due no part is expected to be collected.

Amounting in the whole to 136,983 00  
 To which add the balance in the treasury on the 10th October, 1820, 70,690 32

Making in all, \$207,673 32  
 From which deduct for balance due from government on the 10th of October, 1820, as per statement No. 4. 6,736 90  
 Also the amount of statement No. 5. 130,360 00—137,096 90

The probable balance which is expected to be in the treasury on the 10th October, 1821, \$70,576 42  
 No. 7.

*A statement of the situation of the Penitentiary.*

MANUFACTURES.

From 1st October 1819, to the 30th September 1820, the Agent's receipts to the Keeper, viz :

For cut nails, \$10,010 08  
 Wrought do. 592 92  
 Shoes, 5,232 31  
 Chairs, 1,230 36  
 Blacksmith's work, 2,861 95  
 Stone, 2,375 —————  
 Total amount of agent's receipts, 22,302 62

The Keeper consumed in the manufacturing of the above articles, raw materials to the amount of 10,752 92

Gross profit on the articles manufactured, 11,549 70

The expenses of the institution in the same period are,

For fuel, 171 18  
 Clothing in part, 24 94  
 Contingencies including clothing in part, 1,078 75  
 Dieting, 3,243 50  
 Guards, 960

The agent and keeper's salaries, commissions and the pay of an assistant keeper, 3,150 38—8,628 75

Net profits, 2,920 95



# THE SENATE.

27

## THE KEEPER.

There was due to him on the first day of October, 1819,	4,000 22	
He has expended from that period to the 30th day of September, 1820, as enumerated in the manufacturing account,	5,478 37	
In the same period paid for raw materials,	7,844 24	
Total,		17,322 83
He has received from the treasury in the same period		15,650 00
Due to the keeper on the 1st October, 1820,		1,672 83

## LOANS.

There was due to government for loans on the 1st of October, 1819,	21,353 09	
From the 1st of October, 1819, to the 30th September 1820, warrants were drawn on the treasury for the purchase of materials to the amount as above stated, of	15,650 00	
Also for the payment in part, of the compensation due to the agent and keeper,	4,065 99	
Total,		\$41,069 08

Paid by the agent to the treasurer in the year ending on the 30th September, 1820,		
Debts,	17,025 84	
Sales,	2,486	
Cost,	531 51	
Interest,	149 68	20,193 03
Due to the government on the 1st day of October, 1820,		20,876 05

## RAW MATERIALS.

On hand the 1st day of October, 1819,	6,017 31	
Purchased in the year ending 1st October, 1820,	7,844 24	
Total amount of raw materials		13,861 55
Consumed in the manufactures in the same period,		10,752 92
On hand,		\$3,108 63

## SALES.

Sold in the year ending 30th Sept. 1820,

On a credit,	23,309 95
For cash,	2,486 00—25,795 95

## THE AGENT.

There were in his hands on the 1st day of October, 1819, debts and manufactured articles, to the amount of 63,400 67

From that period to the 1st day of

Oct. 1820, he has been charged with manufactured articles 22,302 62

With interest received, 149 68

Costs do. 531 51—86,384 48

In the same period he has been credited

By cost paid, 772 98

Monies paid into the treasury, 20,193 03

Articles furnished the commission-

ers for superintending the re-

building the state-house, as per

appropriation bill, 1814, 4,000 00—24,966 01

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61,418 47

The general account of the institution was on the 1st day of October, 1820,

## CREDITS.

By effects in the hands of the agent,

61,418 47

Raw materials on hand,

3,108 63—64,527 10

## DEBTS.

Loans due to the state,

20,876 05

Due to the keeper,

1,672 83

Due for a debt contracted by the keeper,

9,000 00

Due James Paul for iron,

1,500 00

To the keeper and agent for commission,

1,042 93—34,091 81

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\$30,435 29

## No. 8.

Presuming that the legislature had intended to condense the fund created by an act of assembly, approved on the 28th day of January, 1818, for the improvement of internal navigation, I scarcely deemed it necessary to make any report upon that subject. But observing in the governor's communication to your honorable body, that his excellency has

called your attention to that subject ; it may be of some importance to know what would have been the situation of that fund, had it not been touched for other purposes of government. I therefore submit the followieg statement under that head.

Amount in the treasury on the 10th day of November, 1819, subject to the improvement of internal navigation,	49,179 50
Dividends on the state's stock in the bank of Kentucky, for the six months ending on the first day of January, 1820,	19,540 87
Ditto on the first July, 1820,	17,709 14
Amount paid in the treasury by the commissioners of internal navigation, which they had not expended,	1,190 84
Total amount subject to internal navigation,	87,620 15
Balance in the treasury on the 10th day of October, 1820, see statement No. 1.	70,690 52

Amount expended out of the fund created for the improvement of internal navigation, which has been applied to other purposes of the government, \$16,929 83

The foregoing statements are respectfully submitted to the senate.

PORTER CLAY, AUD.

AUDITOR'S OFFICE, Oct. 21st, 1820.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Ewing—a bill for the relief of Philemon Waters, and a bill for the benefit of Elizabeth Alexander.

And by Mr. Ward—a bill for the relief of the sheriff of Greenup county.

Which were severally read the first time and ordered to be read a second time.

Leave was given to bring in the following bills, to-wit :

By Mr. Owens—a bill to amend the act providing a summary mode of recovering debts.

And on the motion of Mr. Dollerhide—a bill further to indulge the settlers on the lands acquired by the treaty of Tellico.

Messrs. Owens, Pope and Marshall, were appointed, a committee to prepare and bring in the former, and messrs. Dollerhide, Eye and Wood, the latter.

Mr. Bowmar read and laid on the table the following resolution, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That a committee of four from the senate and eight from the house of representatives, be appointed to examine the bank of Kentucky, and report specially the amount of capital stock of the said bank and its branches, distinguishing therein, the amount owned by the state and the amount owned by individuals; also, the amount of the debts of the same, the money deposited therein, the notes in circulation and the specie in the principal bank and each of its branches, and such other matters and information in relation to the said bank and its branches as they may deem material; and that they have power to send for persons, papers and records.

And the rule being dispensed with, it was taken up, twice read, and adopted.

*Ordered,* That the clerk inform the house of representatives thereof and request their concurrence.

A message from the house of representatives by Mr. Todd:

*Mr. Speaker,*

The house of representatives concur in the resolution from the senate, for appointing a joint committee to examine the government house, and have appointed a committee on their part.

And then he withdrew.

Messrs. Owens and Marshall were then appointed a committee on the part of the senate

*Ordered,* That the clerk inform the house of representatives thereof.

Mr. White read and laid on the table a resolution for appointing a committee to examine the Transylvania University and Fayette Hospital.

The resolution appointing committees to examine the public offices, was taken up and read as follows, to-wit:

*Resolved by the general assembly of the commonwealth of Kentucky,* That a joint committee of three from the senate and six from the house of representatives, be appointed to examine and report the state of the treasurer's office—and that four from the senate and eight from the house of representatives, be appointed to examine and report the state of the register's office—and that five from the senate and ten from the house of representatives, be appointed to examine and report the state of the auditor's office—and four from the senate and



wight from the house of representatives, be appointed to examine into, and report the state of the penitentiary.

Which was adopted.

*Ordered*, That the clerk inform the house of representatives thereof and request their concurrence.

A bill further to regulate the payment of the debt due the commonwealth for the sale of vacant land; a bill to prevent the circulation of private notes in this commonwealth, and a bill to amend the law concerning use and occupation; were severally read a second time, and were committed, with an amendment offered by Mr. White to the latter, to a committee of the whole house on the state of the commonwealth.

And then the senate adjourned.

MONDAY, OCTOBER, 23, 1820.

The senate assembled.

Mr. White presented the petition of sundry citizens of Shelby, Henry and Jefferson counties, counter to those presented on a former day, praying the erection of a new county out of a part of each.

Which was received and referred to the committee of propositions and grievances.

Mr. Dollerhide from the committee of Religion made the following report, to-wit:

The committee of Religion have according to order, had under consideration the petition of James Mackey, representing that his wife Elizabeth Mackey, has for three years last past, wholly abandoned him and her children, and praying for a divorce, and have come to the following resolution thereupon, to-wit:

*Resolved*, That the said petition be rejected.

Which was twice read and concurred in.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Pope—1. a bill to suspend for a limited time the power vested in the governor and treasurer, to subscribe on the part of the state, for shares in the bank of Kentucky.

On the motion of Mr. Lackey—2. a bill to allow an additional number of constable's districts in Floyd county.

On the motion of Mr. Given—3. a bill for the relief of Eli Marvel.

On the motion of Mr. Williams—4. a bill to amend an act to open a road from Mountsterling to the Virginia line by way of Prestonsburg and for other purposes, approved February 4th, 1820.

On the motion of Mr. Owens—5. a bill authorising the change of venue in criminal cases.

And on the motion of Mr. Wood—6. a bill concerning the prison bounds.

Messrs. Pope, Given and Briscoe, were appointed a committee to prepare and bring in the first ; messrs. Lackey, Crutcher and Ward, the second ; messrs. Given, Roper and Weir, the third ; messrs. Williams, Jones and Lackey, the fourth ; messrs. Owens, Southgate and Roper, the fifth ; and messrs. Wood, Hickman and White, the sixth.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Roper, from the committee for courts of justice—a bill providing for a change of venue in the case of Mary a slave.

By Mr. Pope—a bill to suspend for a limited time, the power of the governor and treasurer, to subscribe on the part of the state, for stock in the bank of Kentucky.

By Mr. Lackey—a bill further to indulge the settlers on the lands acquired by the treaty of Tellico.

By Mr. Jones—a bill to repeal the law giving fees to justices of the peace.

And By Mr. Owens—a bill to amend an act providing a summary mode of recovering debts.

Which were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, the first bill was read a second and third times, (having been engrossed) and the blanks filled.

*Resolved*, That the said bill do pass, and that the title be “an act providing for a change of venue in the case of Mary a slave.”

*Ordered*, That Mr. Owens do carry said bill to the house of representatives and request their concurrence.

A bill for the benefit of Elizabeth Alexander ; a bill for the relief of the sheriff of Greenup county, and a bill for the relief of Philemon Waters ; were severally read a second time ; the first was ordered to be engrossed and read a third time ; the second committed to a committee of the whole house on the state of the commonwealth ; and the third laid on the table.

A resolution for appointing a committee to examine the Transylvania University and Fayette Hospital, was taken up and committed to a committee of the whole house on the state of the commonwealth.

Mr. Owens from the joint committee appointed to examine the government house, made the following report, to-wit :

*Resolved by the general assembly of the commonwealth of Kentucky,* That a bill be introduced, appropriating the sum of two thousand dollars to repairing and furnishing the government house, to erecting suitable out buildings, renewing the enclosures, and making the necessary pavements around the same.

WM. OWENS,  
J. J. MARSHALL. } From the senate.

JOHN H. TODD,  
JAS. GARRARD, jr.  
JAS. TOWNSEND, } From the house of  
M. L. MILLER. } representatives.

The speaker laid before the senate the following report, to-wit :

TREASURER'S OFFICE, 21st Oct. 1820.

SIR,

You will please lay before the honorable house over which you preside, the inclosed statement, which gives a concise view of the situation of the treasury department, from the 10th of November, 1819, to the 10th of October, 1820, inclusive.

I have the honor to be,

Very respectfully,

Your ob't. humble serv't.

SAML. SOUTH, Tr.

THE HON. WILLIAM T. BARRY,

*Lieut. Governor, and Speaker of the Senate.*

*A statement of monies received and paid at the Treasury in the eleven months, ending on, and including the 10th day of October, 1820, together with the amount of money in the Treasury on the 10th of November, 1819.*

RECEIPTS.

For money received on headright lands,	\$4,836 21
Ditto Vacant lands,	5,814 29
Ditto Manufacturing of salt,	444 97
	<hr/>
E	11,095 47

17842

Amount brought forward,	11,095 47
Ditto Non-residents' lands,	1,981 96
Ditto Sheriffs,	82,157 64
Ditto Clerks,	11,940 14
Ditto Secretary of state,	1 90
Ditto Fines,	711 66
Ditto Tax on bank stock,	10,147 63
Ditto Penitentiary,	19,181 45
Ditto Dividends on bank stock owned by the state in the bank of Ky. for the months ending 31st Jan. 1820,	19,540 87
Ditto Ending 1st July, 1820,	17,709 14
Miscellaneous receipts,	56 23
Internal navigation,	1,190 84
Total amount received in 1820,	175,714 98
To amount in the treasury on the 10th Nov. 1819,	53,984 52
Total amount,	\$229,699 50

*This statement exhibits the amount of monies paid for warrants drawn on the Treasury from the 10th of November 1819, to the 10th of October, 1820, inclusive.*

For bank stock subscribed,	20,300 00
Do. draw backs on vacant lands,	33 11
Penitentiary for loans, &c.	20,721 65
Sergeant of the court of appeals,	543 62
Public communications,	1,361 49
Legislature, December session, 1819,	27,939 49
Money refunded,	105 50
Public road,	94 50
Public printing,	2,943 70
Lexington academy,	5,000 00
State boundary line,	805 00
Judiciary department,	20,212 15
Executive department,	7,566 06
Executive offices,	1,942 33
Negroes executed,	1,200 00
Littell's Laws of Kentucky,	340 50
Criminal prosecutions,	13,401 00
Lunatics,	11,134 26
Commissioners of tax,	6,312 20
Purchase of non-residents' lands,	706 14
Sheriffs' comparing polls,	931 95

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142,594 65

54251



# THE SENATE.

55

Amount brought forward,	142,594 65
Clerks of circuit and county courts,	7,264 69
Jailors,	3,950 09
Contingent expences,	2,825 95
Pensioners.	60 00
Military expenditures,	987 65
Surveyors for transcribing entries,	326 15

Total amount,	159,009 18
Aggregate amount of receipts including money in the treasury on the 10th of November, 1819	229,699 50
Amount of warrants paid in the same time,	159,009 18

Cash in the treasury on the 10th day of October, 1820, \$70,690 32

FRANKFORT, 21st October, 1820.

The foregoing statement is respectfully submitted to the house of representatives.

SAML. SOUTH, Tr.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Hickman in the chair ; and after some time spent therein, Mr. speaker resumed the chair, and Mr. Hickman reported, that the committee had according to order, had under consideration, several bills to them referred and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again.

And then the senate adjourned.

TUESDAY, OCTOBER 24, 1820.

The senate assembled.

Mr. Owens presented the petition of Mary Folden, praying that a law may pass remitting the balance of the state price on 150 acres of land in Adair county, on which she resides.

Mr. Ford presented the remonstrance of sundry citizens of Shelby county, against the erection of a new county out of parts of Shelby, Henry and Jefferson counties.

Which were severally read and referred to the committee of propositions and grievances.

A message from the house of representatives by Mr. Caldwell :

*Mr. Speaker,*

The house of representatives have passed a bill entitled "an act for the benefit of the heirs of Henry Rhorer," in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time and ordered to be read a second time.

A message from the house of representatives by Mr. Sandford :

*Mr. Speaker,*

The house of representatives concur in the resolution from the senate, for appointing committees to examine the public offices.

And then he withdrew.

A message from the house of representatives by Mr. Howard :

*Mr. Speaker,*

The house of representatives have passed a bill from the senate, entitled an act providing for a change of venue in the case of Mary a slave ; and concur in a resolution for appointing a committee to examine the bank of Kentucky ; and they have passed a bill entitled an act to legalize the acts of the trustees of the town of Lawrenceburg ; in which they request the concurrence of the senate.

And then he withdrew.

The bill was taken up, read the first time and ordered to be read a second time ; and the rule being dispensed with, it was read a second and third times.

*Resolved,* That the said bill do pass, and that the clerk inform the house of representatives thereof.

Mr. Wood from the committee appointed for that purpose, reported a bill concerning the prison bounds ; which was read the first time, and the rule being dispensed with, it was read the second time, and committed to a committee of the whole house on the state of the commonwealth.

The following bills were read a second time, to-wit :

A bill to amend an act providing a summary mode of recovering debts.

A bill to repeal the law allowing fees to justices of the peace.

And a bill to suspend for a limited time, the authority vested in the governor to subscribe on the part of the state, for shares in the bank of Kentucky.

The second and third were committed to a committee of the whole house on the state of the commonwealth, the third for Tuesday next.

The question being taken on engrossing and reading the first bill a third time, it was resolved in the affirmative—Yeas 19, Nays 17.

The yeas and nays being required thereon by messrs. Owens and Cratcher, were as follows, to-wit:

Those who voted in the affirmative are—Messrs. Anderson, Barbee, Briscoe, Ewing, Given, Gorin, Hickman, Lackey, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Smith, Southgate, Ward, White and Williams.

Those who voted in the negative are—Messrs. Bowmar, Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Flournoy, Ford, Harrison, Jones, M'Lean, Throckmorton, Turner, Weir, Wood and Worthington.

A bill further to indulge the settlers on the lands acquired by the treaty of Tellico, was read a second time and ordered to be engrossed and read a third time.

An engrossed bill for the benefit of Elizabeth Alexander, was read a third time, and committed to messrs. Ewing, White and Anderson.

And after some time Mr. Ewing reported the same with an amendment, which was twice read and concurred in, and the bill re-engrossed and read again.

*Resolved*, That the said bill do pass and that the title be “an act for the benefit of Elizabeth Alexander.”

*Ordered*, That the clerk do carry said bill to the house of representatives and request their concurrence.

*Ordered*, That the committee of the whole house on the state of the commonwealth, be discharged from the further consideration of a bill further to regulate the payment of the debt due the commonwealth for the sale of vacant land, and a bill to amend the law concerning use and occupation: The former was ordered to be engrossed and read a third time, and the latter was committed to messrs. Southgate, Flournoy and White.

On the motion of Mr. Faulkner, leave was given to bring in a bill for the benefit of poor widows; and messrs. Faulkner, Jones and Ewing, were appointed a committee to prepare and bring it in.

Mr. Slaughter from the joint committee of enrolments reported, that they had examined an enrolled bill entitled an act providing for a change of venue in the case of Mary a slave, and resolutions appointing committees to examine the

public offices ; and a resolution appointing a committee to examine the public offices ; and a resolution appointing a committee to examine the bank of Kentucky, and had found the same truly enroled.

A message from the house of representatives by Mr. Lancaster :

*Mr Speaker,*

The speaker of the house of representatives having signed an enroled bill and two enroled resolutions, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bill and resolutions, being the same reported by Mr. Slaughter, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Slaughter from the said committee, reported, that they had performed that duty.

And then the senate adjourned.

WEDNESDAY, OCTOBER 25, 1820.

The senate assembled.

The following committees were appointed on the part of the senate pursuant to a joint resolution, to-wit :

Messrs. Slaughter, Davidson and Faulkner, to examine the treasurer's office—messrs Lackey, Anderson, Mountjoy and Williams, the register's office—messrs. Owens. Ward, M'Lean, Jones and Ford, the auditor's office—messrs. White, Roper, M'Lean & Dollerhide, the penitentiary—and messrs. Bowmar, Southgate, Crutcher and Pope, the bank of Kentucky.

Mr. Owens presented the petition of sundry citizens of Casey county, praying that a law may be passed remitting to Anne Edins, widow of Henry Edins, dec'd. the balance of the state price on a tract of land in said county, and on which she resides.

Which was read and referred to the committee of propositions and grievances.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration the petition of Nancy Hindman, representing that her husband in his lifetime, paid the sum of \$41 77, on a removed certificate for a head,



right claim to land, and that the claim being defective, she had to appropriate the same under a Kentucky land warrant, and praying that the said sum may be refunded to her ; and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said petition *is reasonable*.

Which was twice read and concurred in.

*Ordered*, That the committee prepare and bring in a bill pursuant to said resolution.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Turner—a bill for the benefit of James Hays. Sr. and Thomas Hendricks, Sr.

And on the motion of Mr. Bowmar—a bill for the benefit of John Miller Russell.

Messrs. Turner, Eve and Worthington, were appointed a committee to prepare and bring in the former ; and messrs. Bowmar, Marshall and Clay, the latter.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Williams—a bill to amend an act entitled an act, to amend an act to open a road from Mountsterling to the Virginia line by way of Prestonsburg, approved February 4, 1820.

By Mr. Lackey—a bill allowing an additional number of constable's districts in certain counties.

And by Mr. Ewing, from the committee of propositions and grievances—a bill for the benefit of Nancy Hindman.

Which were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, the first and third bills were read a second time, and the first a third time, (having been engrossed.)

*Resolved*, That the first bill do pass, and that the title be an act to amend an act, entitled an act to open a road from Mountsterling to the Virginia line by way of Prestonsburg and for other purposes, approved February 4, 1820.

*Ordered*, That the clerk do carry said bill to the house of representatives and request their concurrence.

The third bill was committed to messrs White, Ewing and Throckmorton.

And after a short time Mr. White reported the same with an amendment, which was twice read and agreed to.

*Ordered*, That the said bill be engrossed and read a third time.

Mr. Jones moved a resolution relative to classing the new senators ; Mr. Ewing offered a substitute therefor, and they

were committed to messrs. Barbee, Owens, Wood, Flournoy and Weir.

The senate received information by Mr. Anderson, that the governor did, on to-day, approve and sign an enrolled bill which originated in the senate, entitled an act providing for a change of venue in the case of Mary a slave.

*Ordered*, That the clerk inform the house of representatives thereof.

An engrossed bill to amend an act providing a summary mode of recovering debts, was read a third time as follows, to-wit :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the above recited act directing summons upon petition to be made returnable, and docketed to the third day of the term to which they are made returnable, shall be, and the same is hereby repealed. And hereafter all summons issued upon petitions, shall be made returnable to the first day of the term to which it is made returnable and docketed as other common law causes.

§ 2. *Be it further enacted*, That this act shall take effect, and be in force, from and after the first day of February next.

And the question being taken on the passage thereof, it was resolved in the negative—Yeas 17, Nays 21.

The yeas and nays being required thereon, by messrs. Crutcher and Hickman, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Bowmar, Ewing, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Pope, Smith, Southgate, Ward and White.

Those who voted in the negative are—messrs Barbee, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Flournoy, Ford, Harrison, Jones, M'Lean, Roper, Slaughter, Throckmorton, Turner, Weir, Williams, Wood and Worthington.

And so the said bill was rejected.

Engrossed bills, to-wit :—a bill further to indulge the settlers on the lands acquired by the treaty of Tellico, and a bill further to regulate the payment of the debt due the commonwealth for the sale of vacant lands, were read a third time.

*Resolved*, That the said bills do pass, and that the titles be respectively “ an act further to indulge the settlers on the lands acquired by the treaty of Tellico—and an act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands.

*Ordered*, That the clerk do carry said bills to the house of representatives and request their concurrence.

A message from the house of representatives by Mr. Emerson;

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act for the benefit of John Francis and Richard Slavey, and Joseph Barnett and his associate; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time, and the rule being dispensed with, it was read a second time and committed to messrs. Owens, Lackey and Anderson.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Crutcher in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Crutcher reported, that the committee had according to order, had under consideration, a bill repealing the law allowing fees to justices of the peace; a bill for the relief of the sheriff of Greenup county; and a resolution concerning the Transylvania University, and Fayette Hospital; and had gone through the same with amendments to the two latter; which he handed in at the clerk's table.

The first bill was committed to messrs. Crutcher, Harrison and Flournoy; the second with the amendment, to messrs. Ward, Southgate and Turner.

The amendment to the resolution was concurred in and adopted as follows, viz.

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee be appointed to consist of three from the senate and six from the house of representatives, to confer with the proprietors of the Fayette Hospital, and ascertain the terms upon which its real estate may be purchased for the use of the commonwealth, and report their opinion thereon, together with the policy of converting the said hospital into a state institution.

*Ordered*, That the clerk inform the house of representatives thereof and request their concurrence.

The senate received from the governor by Mr. Anderson, sundry nominations in writing, which were laid on the table.

A message from the house of representatives by Mr. Williams:

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the relief of Spencer Fletcher's heirs ; in which they request the concurrence of the senate.

And then he withdrew.

A bill from the house of representatives entitled an act for the benefit of the heirs of Henry Rhorer, was read a second time, and ordered to be read a third time.

And then the senate adjourned.

THURSDAY, OCTOBER, 26, 1820.

The senate assembled.

Mr. Given presented the petition of Jinnet Dodd praying the remission of the state price on 200 acres of land, on which she resides.

Mr. Mountjoy presented the petition of sundry citizens of the counties of Bracken, Pendleton, Grant, Scott and Franklin, praying that a law may pass authorising the opening of a state road on the nearest and best ground, from Frankfort to Neville in the state of Ohio, to meet the road opened by that state.

Mr. Flourney presented the petition of fifty-three sheriffs, praying that further time be allowed to collect and pay the revenue.

Which were severally read and referred, the first to a select committee consisting of messrs. Given, Ewing and White ; the second to messrs. Mountjoy, Marshall, Throckmorton and Perrin ; and the third to messrs. Flourney, Ward and Marshall ; giving said committees leave to report by bill or otherwise.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration sundry petitions and counter petitions to them referred, and have come to the following resolutions thereupon, viz.

*Resolved*, That the petition of sundry citizens of the counties of Jefferson, Shelby and Henry, praying the erection of a new county out of part of each of said counties, is *reasonable*.

*Resolved*, That the petition (denominated the West Port petition) of sundry citizens of the counties of Jefferson, Shelby and Henry, praying the erection of a new county out of part of each of said counties, is *reasonable*.



Mr. Ford moved to amend the first resolution by striking out the words "*is reasonable*," and inserting in lieu thereof, the words "*be rejected*."

And the question being taken thereon it was resolved in the negative—Yeas 11, Nays 26.

The yeas and nays being required thereon by messrs. White and Ford, were as follows, to-wit :

Those who voted in the affirmative are—Messrs. Clay, Crutcher, Faulkner, Ford, Marshall, M'Lean, Mountjoy, Pickett, Pope, Turner, White and Worthington.

Those who voted in the negative are—Messrs. Anderson, Barbee, Bowmar, Briscoe, Davidson, Dollerhide, Eve, Ewing, Flournoy, Given, Gorin, Harrison, Hickman, Jones, Lackey, Owens, Perrin, Roper, Slaughter, Smith, Southgate, Throckmorton, Ward, Weir, Williams and Wood.

The resolutions were then concurred in.

*Ordered*, That the committee prepare and bring in a bill pursuant thereto.

A message from the house of representatives by Mr. Ruffin :

*Mr. Speaker*,

The house of representatives have passed a bill from the senate entitled an act for the benefit of Elizabeth Alexander, with an amendment, in which they request the concurrence of the senate.

And then he withdrew.

The amendment was read and concurred in.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

Mr. Owens from the select committee to whom was referred; a bill from the house of representatives entitled an act for the benefit of John Francis and Richard Slavey, and Joseph Barnett and his associates, reported the same with an amendment, which was twice read and laid on the table.

The senate received from the governor by Mr. Anderson, a message in writing containing certain nominations, which were read and laid on the table.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Turner—a bill for the benefit of James Hays, Sr. and Thomas Hendricks, Sr.

By Mr. Marshall—a bill for the benefit of John A. Markley.

By Mr. Owens—a bill to form a new judicial district, and to regulate certain judicial districts.

And By Mr. Bowmar—a bill for the benefit of John Miller Russell.

Which were severally read the first time and ordered to be read a second time.

Mr. M'Lean from the majority, in a vote on yesterday whereby an engrossed bill to amend an act providing a summary mode of recovering debts was rejected, moved to reconsider the vote ; which was accordingly reconsidered and the bill committed to a committee of the whole house on the state of the commonwealth.

The senate took up the nominations made on yesterday, which were read as follows, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, Elijah Creel, Col. of a new Regiment lately formed out of the 45th, 60th and 94th regiments, and to be denominated the 101st regiment.

Arthur M'Gaughey, jr. lieut. Col. of the same regiment, in the place of Elijah Creel, if promoted.

James Wilson, Major of the same regiment in the place of Arthur M'Gaughey, jr. if promoted.

JOHN ADAIR.

October 25th, 1820.

*Resolved,* That the senate advise and consent to said appointments.

*Ordered,* That messrs. Barbee and Ewing, inform the governor thereof.

Bills from the house of representatives of the following titles, to-wit :

An act for the benefit of the heirs of Henry Rhorer, and an act for the relief of Spencer Fletcher's heirs, were severally read, the former a third time, and the latter the first time.

*Resolved,* That the former bill do pass, and that the clerk inform the house of representatives thereof.

The latter bill was ordered to be read a second time.

An engrossed bill for the benefit of Nancy Hindman, was read a third time.

*Resolved,* That the said bill do pass, and that the title be "an act for the benefit of the heirs and representatives of Robert Hindman, dec'd."

*Ordered,* That the clerk do carry said bill to the house of representatives and request their concurrence.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Williams—1. a bill to extend the term of the Montgomery circuit court, and for other purposes.

On the motion of Mr. Weir—2. a bill to declare Trade Water a navigable stream.

On the motion of Mr. Lackey—3. a bill to amend an act entitled an act, authorising certain justices of the county courts to award injunctions, writs of *ne exeat* and *habeas corpus*, approved, February 6, 1818.

And on the motion of Mr. Given—4. a bill to extend the term of the Caldwell circuit court.

Messrs. Williams, Lackey and Ward, were appointed a committee to prepare and bring in the first; messrs. Weir, Anderson and Given, the second; messrs. Lackey, Roper and Williams, the third, and messrs. Given, Worthington and Weir, the fourth.

A bill allowing an additional number of constable's districts in certain counties, was read a second time and ordered to be engrossed and read a third time.

A message from the house of representatives by Mr. Rudd :

*Mr Speaker,*

The house of representatives have passed a bill entitled an act to change the time of holding the July term of the Bracken circuit court; in which they request the concurrence of the senate.

And then he withdrew.

And then the senate adjourned.

#### FRIDAY, OCTOBER 27, 1820.

The senate assembled.

Mr. Perrin presented the petition of the administrators of Robert Coleman, dec'd. praying that a law may be passed authorising them to sell and convey part of the real estate of the dec'd.

Mr. White presented the remonstrance of sundry citizens of Henry county, against the taking of any portion thereof for the formation of a new county.

Which were severally read, the former was committed to a select committee of messrs. Perrin, Roper and M'Lean, with leave to report by bill or otherwise; and the latter was laid on the table.

The speaker laid before the senate the following communication, to-wit :

FRANKFORT, 20th October, 1820.

SIR,

I beg leave through you to inform the senate, that under the appointment with which I was honored by the legislature of Kentucky, as Superintendant to lay off the land west of the Tennessee river, I have performed the duties required of me by the act under which I was appointed. That in obedience to its requisitions, I have caused four complete plats to be made out, each of which, exhibits the townships and sections, as run and laid off. One of said plats I have delivered to the register of the land office, one to the auditor of public accounts, one to the clerk of Livingston county, and one to the clerk of Caldwell county. I have also furnished the register of the land office, with a copy of my field book for all the lands laid off into townships and sections, as directed by said act.

Very respectfully,

Your ob't. humble serv't.

WILLIAM T. HENDERSON.

THE HON. WILLIAM T. BARRY,

*Lieut. Governor, and Speaker of the Senate.*

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker,*

The house of representatives have passed bills of the following titles, viz :

An act to change the place of holding the election in the precinct of Hopkins county ; an act to appoint trustees for the town of Franklin in the county of Simpson ; and an act directing the clerk of the Hardin circuit court, to perform certain duties, in which they request the concurrence of the senate.

And then he withdrew.

The bills were read the first time, the rule being dispensed with, they were read a second time ; and the first a third time.

*Resolved*, That the first bill do pass, and that the clerk inform the house of representatives thereof.

The second was committed to messrs. Slaughter, Turner and Gorin, and the third was laid on the table.

A message from the house of representatives by Mr. Cockerill :



*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the benefit of Ignatius Turley ; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time, and the rule being dispensed with, it was read a second time and committed to messrs. Weir, Turner and Gorin.

Mr. Crutcher from the select committee to whom was referred, a bill repealing the law allowing fees to justices of the peace, reported the same with an amendment, which was twice read and concurred in.

*Ordered,* That the said bill with the amendment, be engrossed and read a third time.

Bills from the house of representatives, to-wit :

An act for the relief of Spencer Fletcher's heirs, and an act to change the time of holding the July term of the Bracken circuit court, were severally read the first time ; the rule being dispensed with, they were read a second and third times, (the former having been amended at the clerk's table.)

*Resolved,* That the said bills do pass, the former as amended; and that the title be amended to read "an act for the relief of the heirs of Spencer Fletcher and Stephen Ferguson."

*Ordered,* That the clerk inform the house of representatives thereof, and request their concurrence in the amendments.

An engrossed bill allowing an additional number of constable's districts in certain counties, was read a third time.

*Resolved,* That the said bill do pass, and that the title be "an act allowing an additional number of constable's districts in certain counties."

*Ordered,* That the clerk do carry said bill to the house of representatives and request their concurrence.

A bill for the benefit of John Miller Russell ; a bill for the benefit of James Hays, Sr. and Thomas Hendricks, Sr. ; and a bill for the benefit of John A. Markley, were severally read a second time, the two former were ordered to be engrossed and read a third time, and the latter was re-committed to the committee who reported it.

The amendments proposed to a bill from the house of representatives, entitled an act for the benefit of John Francis and Richard Slavey, and Joseph Barnett and his associates, were taken up and concurred in.

The bill was then read a third time as amended.

*Resolved*, That the said bill as amended do pass. and that the words, "and Marcus Huling, & Co." be added to the title.

*Ordered*, That the clerk inform the house of representatives thereof, and request their concurrence.

Mr. Barbee from the select committee appointed for that purpose, made the following report, to-wit :

The select committee to whom was referred the subject of the new senatorial districts, have examined the law of the last session, as also the constitution. They find that by the latter part of the act of the last session, the 2d, 26th, 30th, 32d and 35th, are denominated new districts; and the senators elected in those districts are by said act, required to ballot for their classes. According to the constitution your committee are induced to believe, that it was clearly a mistake in denominating the 30th district a new one, as it is formed out of the counties of Montgomery and Estill, which has not been changed for many years. They also find that the counties of Ohio, Grayson, Breckinridge, Butler, Muhlenburg, Hopkins, Union, Daviess and Henderson, heretofore composed three senatorial districts, and that those districts were changed at the last session; but that the same counties, by said act, now compose three districts only, three of which counties compose the 2d district; and that no senator was by the act of the last session, added to that section of country. They find that one senator was added to the senate in the 13th, 26th, 32d and 35th districts. Wherefore,

*Resolved*, That the senators elected from the 13th, 26th, 32d and 35th, be added by lot to the 2d and 4th classes, and that they draw for said classes according to the constitution.

Which was concurred in.

And thereupon the senators from said districts proceeded to draw the class to which they should be attached, and it was determined that the senators from the 32d and 35th, should be attached to the second class, and the senators from the 13th and 26th to the fourth class.

The nominations made by the governor on yesterday, were laid on the table until Tuesday next.

The senate received from the governor by Mr. Anderson, the following communications, to-wit :  
*Gentlemen of the Senate,*

I have just received, and now do myself the honor of laying before you, a copy of a letter from

William T. Henderson, Esq. the superintendent appointed according to the provisions of an act of the last session of the legislature, entitled "an act to provide for laying off the lands west of the Tennessee river into townships and sections," in which he states he has completed the business assigned him according to the provisions of the said act.

JOHN ADAIR.

October 27th, 1820.

*A copy of a letter from William T. Henderson, superintendent appointed to survey the lands west of Tennessee.*

FRANKFORT, 26th, October, 1820.

SIR,

I beg leave to inform you that under the appointment with which I was honored by the legislature of Kentucky at their last session, as Superintendent to lay off the land west of the Tennessee river, I have performed the duty required of me by the act of assembly under which I was appointed.— That in pursuance of its provisions, I have caused four complete plats to be made out, each of which exhibits the townships and sections, as run and laid off. One of said plats I have delivered to the register of the land office, one to the auditor of public accounts, one to the clerk of Livingston county, and one to the clerk of Caldwell county. I have also furnished the register of the land office with a copy of my field book, for all the lands laid off into townships and sections, as directed by said act.

Very respectfully,

Your obedient humble servant,

WILLIAM T. HENDERSON.

HIS EXCELLENCY JOHN ADAIR,

*Governor of Kentucky.*

A copy test, J. C. BRECKINRIDGE, Secretary.

And then the senate adjourned.

SATURDAY, OCTOBER 28, 1820.

The senate assembled.

Leave was given to bring in the following bills, to-wit.:

On the motion of Mr. Ewing—1. a bill concerning the duties of the register of the land office.

On the motion of Mr. Pope—2. a bill to amend the law limiting the time of bringing suits.

On the motion of Mr. Perrin—3. a bill to alter the time of holding the Harrison circuit and county courts.

On the motion of Mr. Ward—4. a bill for the relief of the 70th regiment of Kentucky militia.

And on the motion of Mr. Dollerhide—5. a bill for the relief of certain citizens.

Messrs. Ewing, Hickman and Wood, were appointed a committee to prepare and bring in the first; messrs. Pope, White and Barbee, the second; messrs. Perrin, Clay and Throckmorton, the third; messrs. Ward, Lackey and Briscoe, the fourth; and messrs. Dollerhide, Ewing and Worthington, the fifth.

Mr. Southgate from the select committee to whom was referred, a bill to amend the law concerning use and occupation, reported the same with amendments; which were twice read and concurred in. The bill as amended was ordered to be engrossed and read a third time.

Mr. Weir from the select committee to whom was referred, a bill from the house of representatives, entitled an act for the benefit of Ignatius Turley, reported the same with an amendment, which was concurred in, and the bill as amended read a third time.

*Resolved*, That said bill as amended do pass, and that the clerk inform the house of representatives thereof, and request their concurrence in the amendment.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit:

By Mr. Pope—1. a bill to amend the law limiting the time of bringing suits.

By Mr. Perrin—2. a bill to alter the time of holding the Harrison circuit and county courts.

By Mr. Lackey—3. a bill to amend an act entitled an act, authorising certain justices of the county courts to grant injunctions, writs of *ne exeat* and *habeas corpus*, approved, February 4, 1818.

By Mr. Ewing—4. a bill concerning the duties of the register of the land office; and 5. a bill establishing a new county out of the counties of Henry, Jefferson and Shelby.

The four former were severally read the first time, and the rule being dispensed with, the first and second bills were read a second time, and ordered to be engrossed and read a third time, and the first, (having been engrossed,) was read a third time.



*Resolved*, That the said bill do pass, and that the title be "an act to amend the law limiting the time of bringing suits."

*Ordered*, That Mr. Pope do carry said bill to the house of representatives and request their concurrence.

The third and fourth bills were ordered to be read a second time.

A bill from the house of representatives entitled an act directing the clerk of the Hardin circuit court to perform certain duties, was taken up and committed to messrs. White, Crutcher and Flourney.

And then the senate adjourned.

MONDAY, OCTOBER 20, 1820.

The senate assembled.

Mr. Perrin presented the petition of sundry citizens of Nicholas county, praying to be added to Harrison county.

Mr. Barbee presented the petition of David Allen, praying for a divorce.

Mr. Pope presented the petition of Ben. Bridges, jailor of Jefferson county, praying an allowance of the sum of one hundred and eighty dollars, for sundry services rendered the commonwealth in certain cases of persons committed to said jail.

Which were severally read and referred, the first to the committee of propositions and Grievances, the second to the committee of religion, and the third to the committee for courts of justice.

A message from the house of representatives by Mr. Emerson :

*Mr. Speaker*,

The house of representatives have passed bills from the senate of the following titles, to-wit :

An act further to regulate the payment of the debt due the commonwealth for the sale of vacant lands, and an act further to indulge the settlers on the lands acquired by the treaty of Tellico.

And then he withdrew.

Mr. Marshall from the select committee to whom was referred, a bill for the benefit of John A. Markley, reported the same with an amendment, which was concurred in, and the bill ordered to be engrossed and read a third time.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Perrin—a bill to regulate the manner of taxing attornie's fees.

On the motion of Mr. Roper—a bill to repeal in part, an act concerning county levies, and certain officer's fees.

Messrs. Perrin, Southgate and Roper, were appointed a committee to prepare and bring in the first, and messrs. Roper, Wood and Throckmorton, the latter.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Roper—a bill to repeal in part an act concerning county levies, and certain officers fees, passed February 8, 1815.

By Mr. Perrin—a bill regulating the manner of taxing attornie's fees, and a bill for the benefit of the heirs of Robert Coleman, dec'd.

And by Mr. Ward—a bill for the relief of the 70th regiment of Kentucky militia.

Which were severally read the first time and the rule being dispensed with, the first bill was read a second time and ordered to be engrossed and read a third time.

The following bills from the house of representatives were reported from the select committees to whom they were referred, to-wit :

By Mr. Slaughter—an act to appoint trustees for the town of Franklin in the county of Simpson with an amendment, which was concurred in.

And by Mr. White—an act directing the clerk of the Hardin circuit court to perform certain duties, without amendment ; and the latter bill being amended at the clerk's table, they were severally read a third time as amended.

*Resolved*, That the said bills as amended do pass, and that Mr. Slaughter do inform the house of representatives of the passage of the former, and Mr. Crutcher the latter, and request their concurrence in the amendments.

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker*,

The house of representatives have passed a bill from the senate entitled an act to amend an act entitled an act to amend an act to open a road from Mountsterling to the Virginia line by the way of Prestonsburg, and for other purposes, approved, February 4, 1820.

They concur in the amendments made by the senate to bills of the following titles, to-wit :

An act for the benefit of John Francis and Richard Slavey, and Joseph Barnett and his associates; an act for the relief of Spencer Fletcher's heirs; an act directing the clerk of the Hardin circuit court to perform certain duties; an act to appoint trustees for the town of Franklin in the county of Simpson, and an act for the benefit of Ignatius Turley.

And then he withdrew.

A bill for establishing a new county out of parts of the counties of Shelby, Henry and Jefferson, was read the first time, and the question being taken on reading it a second time, it was resolved in the negative—Yeas 10, Nays 24.

The yeas and nays being required thereon by messrs. White and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—Messrs. Bowmar, Briscoe, Flournoy, Harrison, Hickman, Owens, Perrin, Throckmorton, Ward, and Wood.

Those who voted in the negative are—Messrs. Barbee, Clay, Crutcher, Davidson, Dollerhide, Eve, Ewing, Faulkner, Ford, Given, Gorin, Marshall, McLean, Mountjoy, Pickett, Pope, Roper, Smith, Southgate, Turner, Weir, White, Williams and Worthington.

A bill concerning the duties of the register of the land office; a bill to amend an act entitled an act authorising certain justices of the county court to grant injunctions writs of *ne exeat* and *habeas corpus*, approved February 4, 1818, were severally read a second time; the former was ordered to be engrossed and read a third time, and the latter was re-committed to the same committee who reported it.

A bill to form a new judicial district, and to regulate certain judicial districts, was taken up and amended, and ordered to be laid on the table.

And then the senate adjourned.

## TUESDAY, OCTOBER 31, 1820.

The senate assembled.

A message from the house of representatives by Mr. Todd their secretary:

*Mr Speaker,*

The house of representatives have passed bills of the following titles, to-wit:

An act to erect election precincts in certain counties in this commonwealth.

An act for the formation of the county of Perry out of parts of the counties of Clay and Floyd.

An act authorising the county courts to purchase lands and erect buildings for the accommodation of the poor.

An act to establish a public library at the seat of government.

An act to provide for the protection of public buildings.

And an act providing for the repairing and furnishing the government house, and for other purposes ; in which they request the concurrence of the senate.

And then he withdrew.

On the motion of Mr. Marshall, leave was given to bring in a bill for the benefit of Elizabeth Western ; and messrs. Marshall, Harrison and Ewing, were appointed a committee to prepare and bring in the same.

Mr. Mountjoy presented the petitions of Elizabeth Tungate and Catharine Mattox, severally praying for divorces ; which were severally read and referred to the committee of Religion.

The senate received from the governor by Mr. Anderson, a message in writing.

And the rule being dispensed with, it was taken up and read as follows, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, Platt Stout, Notary Public, in, and for the town of Maysville and county of Mason.

JOHN ADAIR.

October 31st, 1820.

*Resolved,* That the senate advise and consent to said appointment.

*Ordered,* That messrs. Ewing and Barbee inform the governor thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same to-wit :

By Mr. Mountjoy—a bill for the establishment of a road from Frankfort to the Ohio river.

By Mr. Ewing—a bill for the benefit of Anne Edins and Mary Folden.

By Mr. Given—a bill for the benefit of Eli Marvell.

By Mr. Dollerhide—a bill for the relief of settlers in this commonwealth in certain cases.

And by Mr. Owens—a bill to regulate appeals from justices of the peace.



Which were severally read the first time and ordered to be read a second time.

Mr. Lackey from the select committee to whom was referred, a bill to amend an act entitled an act authorising certain justices of the county courts, to grant injunctions; writs of *ne exeat* & *habeas corpus*; reported the same with an amendment, which was twice read, concurred in, and ordered to be engrossed and read a third time.

On the motion of Mr. Given, leave was given to bring in a bill to establish and regulate the town of Princeton in Caldwell county; and messrs. Given, Worthington and Pope, were appointed a committee to prepare and bring it in.

The nominations made on the 26th inst. were taken up and read as follows, to-wit:

*Gentlemen of the Senate,*

I nominate for your advice and consent, Joseph M. White, Attorney General for this commonwealth, in the place of William W. Blair, resigned.

Also, the following gentlemen who have received pro tem commissions that will expire at the close of the present session of the legislature, to-wit:

William W. Blair, Commonwealth's Attorney, for the 3d judicial district, in the place of Joseph C. Breckinridge, resigned.

Joseph Cabell Breckinridge, Secretary of State, for this commonwealth.

JOHN ADAIR.

October 26th, 1820.

The question being taken on advising and consenting to the appointment of Joseph M. White, as attorney general, and it was resolved in the negative—Yeas 17, Nays 20.

The yeas and nays being required thereon by messrs. Ward and Ewing, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Briscoe, Crutcher, Eve, Ewing, Faulkner, Flournoy, Given, Gorin, Harrison, Marshall, M'Lean, Mountjoy, Owens, Slaughter, Southgate, Weir and Worthington.

Those who voted in the negative are—messrs. Barbee, Bowmar, Clay, Davidson, Dollerhide,\* Ford, Hickman, Jones, Lackey, Perrin, Pickett, Pope, Roper, Smith, Throckmorton, Turner, Ward, White, Williams and Wood.

And so the said nomination was rejected.

*Resolved unanimously,* That the senate do advise and consent to the two latter appointments.

*Ordered*, That messrs. Ewing and Barbee, inform the governor thereof.

Mr. Slaughter from the joint committee of enrolments, reported, that they had examined sundry enroled bills of the following titles, to-wit :

An act for the benefit of John Francis, Richard Slavey and Joseph Barnett and his associates, and Marcus Huling and Company.

An act to legalize the acts of the trustees of the town of Lawrenceburg.

An act for the benefit of the heirs of Henry Rhorer.

An act for the relief of Spencer Fletcher and Stephen Ferguson.

An act to change the place of holding elections in the precinct of Hopkins county.

An act to change the time of holding the July term of the Bracken circuit court.

An act for the benefit of Ignatius Turley and Thomas Cooper.

And had found the same truly enroled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker*,

The speaker of the house of representatives having signed sundry enroled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed the said bills being the same reported to-day by Mr. Slaughter ; and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Slaughter from said committee, reported that they had performed that duty.

The senate received information by the secretary of state, that the governor did on to-day, approve and sign two enroled resolutions which originated in the senate, to-wit :

A resolution appointing committees to examine the public offices, and a resolution appointing a joint committee to examine the bank of Kentucky.

*Ordered*, That the clerk inform the house of representatives thereof.

A bill for the relief of the 70th regiment of Kentucky militia ; a bill for the benefit of the heirs of Robert Coleman, dec'd. ; and a bill regulating the manner of taxing attorney's fees, were severally read a second time, the first was com-

mitted to messrs. Ward, Lackey and Gorin ; the second to messrs. Lackey, Roper and Perrin, and the third was ordered to be engrossed and read a third time.

An engrossed bill to amend the law concerning use and occupation, was read a third time as follows, to-wit :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be lawful for the proprietor or proprietors of any lands or tenements, his, her or their heirs, executors, administrators or assigns, to recover a reasonable compensation for the use and occupation thereof, in an action of trespass on the case against, and from the occupant or occupants, his, her or their heirs, executors or administrators, where the possession has been acquired or held with the consent of the proprietor or proprietors, where no agreement has been made as to the compensation or the amount thereof to be paid therefor.

§ 2. Any tenant holding over, whether acquiring or holding possession in the manner mentioned in the preceding section, or by virtue of a written or express verbal contract, his heirs, executors or administrators, shall be subject in the form of action aforesaid, to the payment of a reasonable compensation for the use and occupation of the lands or tenements, so held over to the proprietor or proprietors thereof, his, her or their heirs, executors, administrators or assigns : *Provided however,* To prevent misconstruction, that this act shall not be construed to extend to any case where the possession is adverse.

The question being taken on the passage thereof, and it was resolved in the negative—Yeas 14, Nays 19.

The yeas and nays being required thereon by messrs. Harrison and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Eve, Ewing, Faulkner, Flournoy, Ford, Marshall, Pope, Roper, Slaughter, Smith, Southgate, Ward and White.

Those who voted in the negative are—messrs. Barbee, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Given, Gorin, Harrison, Jones, Mountjoy, Owens, Perrin, Pickett, Throckmorton, Turner, Weir, Wood and Worthington.

And so the said bill was rejected.

Engrossed bills to-wit :—1. a bill to repeal in part an act concerning county levies, and certain officer's fees, passed February 8, 1815 ; 2. a bill to repeal the law giving fees to justices of the peace ; 3. a bill concerning the duties of the register of the land office ; 4. a bill for the benefit of James Hays, Sr. and Thomas Hendricks, Sr. ; 5. a bill to alter the

time of holding the Harrison circuit and county courts; and 6. a bill for the benefit of John Miller Russell, were severally read a third time.

*Resolved*, That the first bill do pass, and that the title be "an act to repeal in part, an act concerning county levies, and certain officer's fees, passed February 8, 1815."

*Ordered*, That Mr. Roper do carry said bill to the house of representatives and request their concurrence.

The second and third were laid on the table, the fourth was re-committed to the committee who reported it, the fifth to messrs. Perrin, Mountjoy and Clay, and the sixth was rejected.

On motion, leave of absence is granted Mr. Pope from the service of the senate until the 9th of November next.

An engrossed bill for the benefit of John A. Markley, was taken up, and Mr. Flournoy moved to lay it on the table indefinitely.

And then the senate adjourned.

### WEDNESDAY, NOVEMBER 1, 1820.

The senate assembled.

Mr. Given presented the petition of sundry citizens of this commonwealth, residing west of the Tennessee river, praying that they may have the pre-emptive right of appropriating land to include their improvements, and that a new county may be formed in that section of the state.

Which was read and referred to the committee of propositions and grievances.

Mr. Perrin from the select committee to whom was referred, an engrossed bill to alter the time of holding the Harrison circuit and county courts, reported the same with amendments, which were concurred in, and the bill ordered to be re-engrossed and read again.

Mr. Dollerhide from the committee of Religion, made the following report, to-wit :

The committee of religion have according to order, had under consideration, sundry petitions to them referred, and have come to the following resolutions thereupon, to-wit :

*Resolved*, That the petition of Daved Allen representing that his wife Mary Ann Allen, has wholly abandoned him, and praying a divorce, *be rejected*.

*Resolved*, That the petition of Catharine Mattox, representing that her husband David Mattox, has abandoned her for four years last past, and praying a divorce, *be rejected*.



*Resolved*, That the petition of Elizabeth Tungate, representing that her husband Mereda Tungate, for six years last past, has wholly abandoned her, and praying a divorce, be rejected.

Which was twice read and concurred in.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Jones—a bill concerning veniremen and witnesses.

On the motion of Mr. Harrison—a bill for the benefit of Catharine Wilkinson.

And on the motion of Mr. White—a bill to limit the time of holding elections in the several precincts.

Messrs. Jones, Owens and Pickett were appointed a committee to prepare and bring in the first ; messrs. Harrison, Eve and Southgate, the second, and messrs. White, Owens and Weir, the third.

And after some time Mr. Jones from the first committee, and Mr. Harrison from the second, severally reported bills which were read the first time and ordered to be read a second time.

The following bills were reported from the several committees appointed to prepare and bring in the same to-wit :

By Mr. Weir—a bill declaring Trade water a navigable stream.

By Mr. Given—a bill for the benefit of Jincy Dodds.

And leave was given Mr. Southgate to report a bill regulating the mode of admitting to the bar, attornies of adjoining states.

Which were severally read the first time, and the rule being dispensed with, they were read a second time and ordered to be engrossed and read a third time.

The third bill having been engrossed was read a third time.

*Resolved*, That the said bill do pass, and that the title be “ an act regulating the mode of admitting to the bar, attornies of adjoining states.”

*Ordered*, That Mr. Owens do carry said bill to the house of representatives and request their concurrence.

Engrossed bills to-wit :—a bill concerning the duties of the register of the land office ; and a bill to repeal the law giving fees to justices of the peace, were severally taken up, the former was committed to messrs. Bowmar, Ewing and Given ; the latter bill was again read as follows, to-wit :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the act to regulate the fees of

justices of the peace in this commonwealth, approved February 10th, 1819, as permit justices of the peace to charge a fee for issuing a warrant for any sum in a civil case ; for giving judgment and recording the same ; and for issuing an execution on any such judgment, where the demand or judgment is under twenty dollars, shall be, and the same is hereby repealed. And any justice of the peace who may demand or receive any fee, for the said services, shall be liable to pay for every offence, fifteen dollars, recoverable as provided in the second section of the above recited act.

And the question being taken on the passage thereof, it was resolved in the negative—Yeas 17. Nays 18.

The yeas and nays being required thereon by messrs. Jones and Perrin, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Clay, Dollerhide, Faulkner, Flournoy, Gorin, Harrison, Hickman, Jones, Pickett, Roper, Slaughter, Ward, White, Williams and Wood.

Those who voted in the negative are—messrs. Anderson, Briscoe, Crutcher, Davidson, Eve, Ewing, Ford, Given, Lackey, Mountjoy, Owens, Perrin, Smith, Southgate, Throckmorton, Turner, Weir and Worthington.

And so the said bill was rejected.

An engrossed bill for the benefit of John A. Markley, was laid on the table until Monday next.

Bills from the house of representatives of the following titles, to-wit :

An act for the formation of the county of Perry out of parts of the counties of Clay and Floyd.

An act providing for the repairing and furnishing the government house and for other purposes.

An act to erect election precincts in certain counties.

An act authorising the county courts to purchase lands and erect buildings for the accommodation of the poor.

An act to provide for the protection of public buildings.

And an act to establish a public library at the seat of government, were severally read the first time, and ordered to be read a second time.

And the rule being dispensed with, the first, second and third bills were read a second time, the second was committed to messrs. Flournoy, Crutcher and Harrison ; the third to messrs. Ford, Lackey and Given ; and the first was read a third time.

*Resolved*, That the said bill do pass, and that the clerk inform the house of representatives thereof.

Engrossed bills to-wit :—a bill for the benefit of Ann Edgins and Mary Folden ; a bill to amend an act entitled an act authorising certain justices of the county courts to grant injunctions, writs of *ne exeat* and *habeas corpus*, approved February 4, 1818 ; and a bill regulating the manner of taxing attorney's fees.

Were severally read a third time.

The first was committed to messrs. White, Davidson and Owens.

*Resolved*, That the second and third bills do pass, and that the titles be respectively, “ an act to amend an act entitled an act authorising certain justices of the county courts, to grant injunctions, writs of *ne exeat* and *habeas corpus*, approved, February 4, 1820 ; and an act regulating the manner of taxing attorney's fees.”

*Ordered*, That the clerk do carry said bills to the house of representatives and request their concurrence.

A bill for the relief of certain settlers ; a bill to regulate appeals from justices of the peace ; a bill to establish a road from Frankfort to the Ohio river ; and a bill for the benefit of Eli Marvell, were severally read a second time ; the two former were committed to a committee of the whole house on the state of the commonwealth ; and the two latter ordered to be engrossed and read a third time.

Mr. Flournoy from the select committee to whom was referred, so much of the governor's message as relates to the embarrassment of the country, made a report which was read and committed to a committee of the whole house on the state of the commonwealth for Friday next.

*Ordered*, That the public printers forthwith print 150 copies of said report, for the use of the members of the legislature.

And then the senate adjourned.

#### THURSDAY, NOVEMBER, 2, 1820.

The senate assembled.

Mr. Barbee from the joint committee of enrolments, reported, that they had examined enroled bills of the following titles, to-wit :

An act for the formation of the county of Perry out of parts of the counties of Clay and Floyd.

An act to appoint trustees for the town of Franklin in the county of Simpson.

And an act directing the clerk of the Hardin circuit court to perform certain duties.

And had found the same truly enroled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enroled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Slaughter from said committee, reported that they had performed that duty.

Mr. Owens presented the petition of William Chamberlain, representing that he stands indicted in the Monroe circuit court for murder, that from the prejudice that exists against him, he cannot have a fair trial in said court, and praying a change of venue to some other circuit.

Mr. M'Lean presented the petition of sundry citizens of Nelson and Shelby, praying an appropriation for the improvement of the navigation of Salt river.

Which were severally read and referred, the former to the committee for courts of justice ; and the latter to messrs. M'Lean, Ford and Crutcher.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker,*

The house of representatives concur in a resolution from the senate for appointing a joint committee to confer with the proprietors of the Fayette hospital and for other purposes.

And then he withdrew.

Whereupon messrs. White, Barbee and Flournoy, were appointed a committee on the part of the senate in persuance thereof.

*Ordered,* That the clerk inform the house of representatives thereof.

The following bills were reported from the select committees to whom they were referred, to-wit :

By Mr. Turner—an engrossed bill for the benefit of James Hays, Sr. and Thomas Hendricks, Sr.

By Mr. White—an engrossed bill for the benefit of Ann Eldins and Mary Folden.



By Mr. Bowmar—an engrossed bill concerning the duties of the register of the land office.

By Mr. Lackey—a bill for the benefit of the heirs of Robert Coleman, dec'd.

And by Mr. Ward—a bill for the relief of the 70th regiment of Kentucky militia, severally, with amendments, which were concurred in ; the three former bills were ordered to be re-engrossed as amended and read again, and the two latter were ordered to be engrossed as amended and read a third time.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. White—a bill limiting the time of holding elections in the several precincts.

By Mr. Williams—a bill to alter and extend the term of the Montgomery circuit court, and for other purposes.

And by Mr. Marshall—a bill granting a divorce to Elizabeth Western.

Which were severally read the first time and ordered to be read a second time.

The rule being dispensed with, the first bill was read a second time and committed to a committee of the whole house on the state of the commonwealth.

Bills of the following titles from the house of representatives, were reported from the select committees to whom they were severally referred with amendments, to-wit :

By Mr. Ford—an act to erect election precincts in certain counties in this commonwealth.

And by Mr. Flournoy—an act providing for the repairing and furnishing the government house, and for other purposes.

The amendments to the former were twice read, concurred in, and the bill read a third time.

*Resolved*, That the said bill as amended do pass, and that the words “and for other purposes” be added to the title.

*Ordered*, That the clerk inform the house of representatives thereof, and request their concurrence in the said amendments.

The amendment proposed to the latter bill was then read. Mr. Marshall moved to fill the blank with two thousand dollars.

And the question being taken thereon, it was resolved in the negative—Yeas 14, Nays 23.

The yeas and nays being required thereon by messrs. Flournoy and Pickett, were as follows, to-wit :

Those who voted in the affirmative are—Messrs. Bowmar, Crutcher, Ewing, Hickman, Marshall, McLean, Owens, Perrin, Roper, Slaughter, Southgate, Weir, White, and Worthington.

Those who voted in the negative are—Messrs. Anderson, Barbee, Briscoe, Clay, Davidson, Dollerhide, Eve, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Jones, Lackey, Mountjoy, Pickett, Smith, Throckmorton, Turner, Ward, Williams and Wood.

The blank was then filled with the sum of fifteen hundred dollars, and the amendment concurred in. The bill was then read a third time with the amendment.

*Resolved*, That the said bill as amended do pass, and that the clerk inform the house of representatives thereof, and request their concurrence in the amendment.

Mr. Flournoy from the select committee to whom was referred the petition of sundry sheriffs, made a report, which was committed to a committee of the whole house on the state of the commonwealth for Tuesday next.

The senate received from the governor by Mr. Anderson, a message in writing containing sundry military nominations.

And then the senate adjourned.

#### FRIDAY, NOVEMBER 3, 1820.

The senate assembled.

Mr. Ward presented the petition of sundry citizens of the counties of Bourbon, Clark and Montgomery, praying the erection of a new county out of parts of each.

Mr. Wood presented the remonstrance of sundry citizens of the counties of Wayne, Adair and Cumberland, against the erection of a new county out of parts of said counties.

Mr. Marshall presented the petition of sundry pew holders in the Frankfort Church, praying that the law in relation to the same, may be so amended as to authorize the pew holders to elect trustees annually.

Which were severally read and referred, the first and second to the committee of propositions and grievances, and the third to the committee of religion.

Mr. Barbee from the joint committee of enrolments, reported that they had examined sundry enrolled bills and a resolution of the following titles, to-wit :

1st. A resolution for appointing a joint committee to confer with the proprietors of the Fayette Hospital, and for other purposes.

2d. An act further to indulge the settlers on the lands acquired by the treaty of Tellico.

3d. An act to amend an act entitled an act to amend an act to open a road from Mountsterling to the Virginia line by the way of Prestonsburg, and for other purposes.

4th. An act further to regulate the debt due the commonwealth for the sale of vacant lands.

5th. An act for the benefit of Elizabeth Alexander and her heirs.

And had found the same truly enroled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enroled bills and an enroled resolution, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed the said bills and resolution, being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Slaughter from said committee, reported that they had performed that duty.

A bill for the benefit of Philemon Waters was taken up and ordered to be engrossed and read a third time.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Lackey—a bill for the appointment of commissioners to confer with commissioners from Virginia, to fix the point where the road leading from Mountsterling to the Virginia line, shall cross it.

And on the motion of Mr. Gorin—a bill to amend the militia law.

Messrs. Lackey, Williams and Roper, were appointed a committee to prepare and bring in the former, and messrs. Gorin, Williams, Davidson, Ward and Faulkner, the latter.

Mr. Lackey from the former committee, reported a bill which was read the first time, and the rule being dispensed with, it was read a second time and re-committed to the same committee.

Re-engrossed bills, to-wit :—a bill for the benefit of James Hays, Sr. and Thomas Hendricks, Sr. ; a bill for the benefit of Ann Edins and Mary Folden ; and a bill concerning the duties of the register of the land office, were severally read again.

*Resolved*, That the first and second bills do pass, and that the titles be respectively “an act for the benefit of James Hays, Sr. and Thomas Hendricks, Sr. ; and an act for the benefit of Ann Edins and Mary Folden.”

*Ordered*, That Mr. Turner carry the first and Mr. Owens the second, to the house of representatives and request their concurrence.

The third bill was re-committed to messrs. M’Lean, Southgate and Ewing.

And after some time Mr. M’Lean reported the same without amendment.

*Resolved*, That the said bill do pass, and that the title be “an act concerning the duties of the register of the land office.”

*Ordered*, That Mr. M’Lean do carry said bill to the house of representatives and request their concurrence.

Bills from the house of representatives of the following titles, to-wit :

An act to establish a public library at the seat of government.

An act authorising the county courts to purchase lands and erect buildings for the accommodation of the poor.

And an act to provide for the protection of public buildings, were severally read a second time.

And the rule being dispensed with, the first bill was read a third time.

*Resolved*, That the said bill do pass, and that the clerk inform the house of representatives thereof.

The second was committed to a committee of the whole house on the state of the commonwealth, and the third to the committee of religion.

A bill concerning veniemen and witnesses ; a bill for the benefit of Elizabeth Western ; a bill for the benefit of Catharine Wilkinson ; and a bill to alter and extend the term of the Montgomery circuit court, and for other purposes, were severally read a second time ; the first was laid on the table, the second was committed to messrs. Marshall, Owens and Ward ; the third and fourth were ordered to be engrossed and read a third time.



And the rule being dispensed with, the fourth (having been engrossed) was read a third time.

*Resolved*, That the said bill do pass, and that the title be "an act to alter and extend the terms of the Montgomery circuit court, and to alter the time of holding the Bath circuit court."

*Ordered*, That Mr. Williams do carry said bill to the house of representatives and request their concurrence.

Engrossed bills, to wit:—a bill for the establishment of a road from Frankfort to the Ohio river; a bill for the benefit of the heirs of Robert Coleman, dec'd.; a bill for the benefit of Jincy Dodds; a bill declaring Trade Water a navigable stream; a bill for the benefit of Eli Marvell; and a bill for the relief of the 70th regiment of Kentucky militia, were severally read a third time.

*Resolved*. That the five former bills do pass, and that the titles be respectively, "an act for the establishment of a road from Frankfort to the Ohio river, opposite the town of Neville; an act for the benefit of the heirs of Robert Coleman and Moses Sharpe, dec'd.; an act for the benefit of Jincy Dodds; an act declaring Trade Water a navigable stream, and an act for the benefit of Eli Marvell."

*Ordered*, That the clerk do carry said bills to the house of representatives and request their concurrence.

The latter bill was committed to messrs. Mountjoy, White and Flournoy.

A message from the house of representatives by Mr. Wickliffe:

*Mr. Speaker*,

The house of representatives have adopted a resolution providing for the purchase of a set of the journals of the legislature, in which they request the concurrence of the senate.

And then he withdrew.

The said resolution was taken up and read as follows, to wit:

IN THE HOUSE OF REPRESENTATIVES, Nov. 3, 1820.

*Resolved by the Senate and House of Representatives of the commonwealth of Kentucky*, That the secretary of state be authorised to purchase for the use of his office, such of the journals of the different sessions of the legislature of this state as he may think necessary to complete a full set.

Extract, &c. Attest.

R. S. TODD, C. H. R.

Which being amended by striking out the words "he may think" and inserting in lieu thereof, the words "may be" was concurred in.

*Ordered*, That the clerk inform the house of representatives thereof, and request their concurrence in the amendment.

The senate received information by the secretary of state, that the governor did on to-day, approve and sign sundry enrolled bills and an enrolled resolution which originated in the senate of the following titles, to-wit :

1st. A resolution for appointing a joint committee to confer with the proprietors of the Fayette Hospital, and for other purposes.

2d. An act further to indulge the settlers on the lands acquired by the treaty of Tellico.

3d. An act to amend an act entitled an act to amend an act to open a road from Mountsterling to the Virginia line by the way of Prestonsburg, and for other purposes.

4th. An act further to regulate the debt due the commonwealth for the sale of vacant lands.

5th. An act for the benefit of Elizabeth Alexander and her heirs.

*Ordered*, That the clerk inform the house of representatives thereof.

Leave of absence from the service of the senate, was granted Mr. Jones, until Wednesday ; and to the sergeant at arms until Monday next.

Mr. Roper from the committee for courts of justice, reported a bill authorising a change of venue in the case of William Chamberlaine, which was read the first time.

The rule being dispensed with, it was read a second time and ordered to be engrossed and read a third time.

And then the senate adjourned.

SATURDAY, NOVEMBER 4, 1820.

The senate assembled.

Mr. Lackey from the joint committee appointed to examine and report the state of the register's office, made the following report, to-wit :

The joint committee of the senate and house of representatives, appointed to examine and report the state of the land office, have performed the duty required, and report as follows :

That they find the surveys transmitted from the Virginia land office, tied up in 273 bundles, newly labelled, with an alphabet; and 15 bundles containing the caveated and defective surveys from Virginia, on which grants have issued.—Eleven volumes containing the record of the aforesaid surveys, and sixteen volumes containing the record of grants issued thereon, with complete alphabets, and in good order. The record of military warrants from the Virginia land office, in two volumes, with alphabets, and in good order. A list of the Virginia treasury warrants, in two volumes. The record of pre-emption warrants, in one volume; and a volume containing the record of warrants under the proclamation of 1763, with alphabets, and in good order. Commissioners' certificates granted in 1779 and '80, in two volumes, lately transcribed, with alphabets, in good order. The sale books or non-resident's lands for the year 1800-1-2 and 4, have a new alphabet; the books are somewhat worn. The books in which the sales of 1805-6-7-8-9-10-11-12-13-14-15-16-17-18 and 19, are recorded, they find in good order, with alphabets. Two volumes in which surveys have been registered since 1792, in good order. The said surveys are tied up in 141 bundles, newly labelled, with an alphabet.—The record of these surveys, together with the record of some grants, are in 14 volumes, with an alphabet, new and in good order. The grants issued on the aforesaid surveys are in 19 volumes, to which there is an alphabet, new and in good order. The surveys upon head-right claims are neatly registered in three volumes, with alphabets. The head-right plats and certificates of surveys, are filed in 298 bundles, newly labelled, and recorded in 17 volumes, with two alphabets, new and in good order. Grants issued thereon recorded in 25 volumes, with alphabets, in good order. The land warrants issued under the act of 1800, the surveys and grants on the same, as also the Tellico surveys and grants, are in two volumes, they are registered in one volume; the original surveys tied in bundles, and newly labelled, all in good order. One volume containing the surveys under the proclamation of 1763, with an alphabet. Two volumes of certificates granted in 1796, and three volumes in 1798, with alphabets. Anderson's and Croghan's military entry books, with alphabets. The transcript of Lincoln entries in two volumes, with an alphabet, in good order. May's entries, (so called) transcribed in 5 volumes, with two alphabets, in good order. One volume of Green's deputy register of surveys, made previous to June 1792. One volume of relinquish-

ments in tolerable order. A list of Kentucky land warrants issued under the act of 1814, and the subsequent acts, in one volume; and the record of said warrants in three volumes; the original surveys made on said warrants, are tied up in 79 bundles, neatly labelled, and recorded in 5 volumes. The grants issued thereon recorded in seven volumes, with an alphabet new and in good order; one volume containing a register of said surveys, with an alphabet, in good order.—Three volumes in which caveats are recorded, with alphabets. One volume of commissioners' certificates granted in the year 1780, with an alphabet.

Your committee beg leave to state, that eleven books of original entries from the county of Fayette, and one book of original entries from the county of Mercer, have been returned by the surveyors of said counties, to the register's office, agreeably to the requisitions of an act approved, February 12th, 1820. Which books aforesaid, your committee find considerably worn and mutilated; and submit to this house the propriety of some act of the legislature directing the register to copy such parts of said books as it may be practicable to transcribe.

All of which your committee respectfully submits.

Committee on the part of the senate.

ALEXANDER LACKEY,  
SAMUEL L. WILLIAMS,  
N. D. ANDERSON.

Committee on the part of the house of representatives.

ALFRED SANDFORD,  
WILLIAM WAKEFIELD,  
DAVID E. HARRIS,  
WILLIAM GORDON,  
M. L. MILLER,  
JOHNSTON J. COCKERILL.

A bill to form a new judicial district and to regulate certain judicial districts, was taken up, amended at the clerk's table, and ordered to be engrossed and read a third time.

A message from the house of representatives by Mr. Townsend:

Mr. Speaker,

The house of representatives have passed a bill entitled "an act for the benefit of the heirs of Cornelius Robertson, dec'd." in which they request the concurrence of the senate.

And then he withdrew.



The said bill was read the first time and ordered to be read a second time.

The nominations made on the 2d inst. were taken up, and read as follows, to-wit :

*Gentlemen of the Senate.*

Since the last session of the general assembly, sundry vacancies have taken place in the military department, which have been filled by appointments to expire with the present session.

I therefore nominate for your advice and consent, the following gentlemen, to be commissioned during good behaviour, to-wit :

James White, lieut. col. of the 90th regiment, in the place of Waller Emerson, resigned.

Morris Wright, major of the same regiment, in the place of James White, if promoted.

Austin C. Respass, division inspector of the 10th division, in the place of Benj. Mills, resigned.

Christopher Lillard, col. of the 92d regiment, in the place of Saml. Hutton, resigned.

Saml. Payne, lieut. col. of the same regiment, in the place of Christopher Lillard, if promoted.

James Millam, major of the same regiment in the place of Saml. Payne, if promoted.

Benjamin Shacklett, brigadier general of the 23d brigade, in the place of Wm. Hardin, removed.

Robert S. Dougherty, col. of the 38th regiment, in the place of Joseph Bell, resigned.

John Rodman, lieut. col. of the same regiment, in the place of Robert S. Dougherty, if promoted.

Edward M. Taylor, major of the same regiment, in the place of John Rodman, if promoted.

John Berry, major of the 34th regiment, in the place of Joseph Smith, dec'd.

Henry C. Payne, lieut. col. of the 10th regiment, in the place of James Innes, resigned.

Edward J. Wilson, major of the same regiment, in the place of Henry C. Payne, if promoted.

Oliver Anderson, lieut. col. of the 9th regiment in the place of Andrew M'Campbell, resigned.

Wm. Olds, major of the same regiment, in the place of Oliver Anderson, if promoted.

Maxemillian Hayley, major of the 94th regiment, in the place of Thomas Winn, resigned.

Charles Dobyns, lieut. col. of the 29th regiment, in the place of John Baker, resigned.

Jasper J. Morris, major of the same regiment, in the place of Charles Dobyns, if promoted.

Major I. Price, col. of the 23d regiment in the place of Wm. L. Sands, resigned.

Archibald M. Campbell, lieut. col. of the same regiment, in the place of E. I. Briant, resigned.

Thomas Grubb, major of the same regiment, in the place of Major I. Price, if promoted.

Thomas Woolfolk, col. of the 100th regiment, (lately formed.)

John C. Bacon, lieut. col. of the same regiment.

John Glass, major of the same regiment.

Charles Allen, major of the 85th regiment, in the place of Nicholas Ware, resigned.

John Newman, col. of the 41st regiment, in the place of Robert Smith, resigned.

James Powell, lieut. col. of the 41st regiment, in the place of Joseph Eades, resigned.

Joseph A. Barnett, major of the same regiment, in the place of John Newman, if promoted.

Henry Beatty, col. of the 73th regiment, in the place of Stephen Trigg, resigned.

Aaron Sharp, lieut. col. of the same regiment, in the place of Henry Beatty if promoted.

Absalom Oldham, major of the same regiment in the place of Aaron Sharp, if promoted.

Wm. Black, lieut. col. of the 35th regiment, in the place of Sylvanus Massie, resigned.

Christopher Harris, major of the same regiment, in the place of Wm. Black if promoted.

John Sneed, col. of the 3d regiment, in the place of Benj. Shacklett, if promoted.

John Shacklett lieut. col. of the same regiment, in the place of John Sneed, if promoted.

Wm. Morgan, major of the same regiment, in the place of John Shacklett, if promoted.

John C. Dodd, col. of the 55th regiment, in the place of Arthur H. Davis, removed.

William Wadlington, lieut. col. of the same regiment, in the place of John C. Dodd, if promoted.

Samuel Fulton, col. of the 13th regiment, in the place of Thomas Metcalfe, if promoted.

Henley Roberts, lieut. col. of the same regiment, in the place of Samuel Fulton, if promoted.

Gobvin Bailey Col. of the 54th regiment, in the place of Daniel Miller, resigned.

Elijah Green, lieut. col. of the same regiment, in the place of Gobvin Bailey, if promoted.

Hezekiah Brauson, major of the same regiment, in the place of Elijah Green, if promoted.

John Gilbert, jr. col. of the 68th regiment, in the place of Daniel Garrard, removed.

Elijah M<sup>r</sup>Wherter, lieut. col. of the same regiment, in the place of Andrew Bradley, resigned.

Robert Baker, major of the same regiment, in the place of Pleasant Parker, resigned.

Gabriel Lackey, col. of the 6th regiment, in the place of James Murrel, resigned.

Peter Dupaw, lieut. col. of the same regiment, in the place of Gabriel Lackey, if promoted.

John K. Johnson, major of the same regiment, in the place of Peter Dupaw, if promoted.

William Layton, lieut. col. of the 26th regiment, in the place of Edmund Ramsey, refused.

Azariah Doty, major of the same regiment, in the place of Wm. Layton, if promoted.

Martin D. Hardin, major general of the third division of Kentucky militia, in the place of David Thompson, resigned.

Isaac W. Dabney, col. of the 33d regiment, in the place of Joseph Funk, resigned.

Jacob Oglesby, lieut. col. of the same regiment, in the place of Isaac W. Dabney, if promoted.

Thomas C. Powell, major of the same regiment in the place of Jacob Oglesby, if promoted.

Benjamin Desha, division inspector of the 7th division, in the place of Joseph Belt, resigned.

Martin Hardin, brigadier general of the 8th brigade, in the place of Fleming Robertson, resigned.

Charles P. Bacon, brigade quarter-master of the 6th brigade, in the place of Benjamin Taylor, resigned.

George Baltzell, brigadier general of the 6th brigade, in the place of Martin D. Hardin, if promoted.

George Matthews, brigade major of the twenty-fifth brigade.

Hezekiah Ray, col. of the 4th regiment, in the place of Martin Hardin, if promoted.

Peter Brown, lieut. col. of the same regiment, in the place of Hezekiah Ray, if promoted.

John Reedy, major of the same regiment, in the place of Peter Brown, if promoted.

Joseph B. Lancaster, brigade inspector of the 8th brigade.

Thomas G. Hancock, col. of the 22d regiment, in the place of George Baltzell, if promoted.

Peter Dudley, lieut. col. of the same regiment, in the place of Thomas G. Hancock, if promoted.

Hugh Innes, major of the same regiment, in the place of Peter Dudley, if promoted.

James Bishop, major of the 76th regiment, in the place of Joseph Robertson, resigned.

James Baker, major of the 18th regiment, in the place of Henry Roberts, if promoted.

Thomas Patton, brigade quartermaster for the 25th brigade.

Joseph S. Pepper, col. of the 30th regiment, in the place of Wm. Summers, resigned.

Ebenezer K. Early, lieut. col. of the same regiment, in the place of Joseph S. Pepper, if promoted.

Woolford Wiatt, major of the same regiment, in the place of Ebenezer K. Early, if promoted.

Bazel Waring, lieut. col. of the 70th regiment, in the place of James Ward, resigned.

Jesse Linsey, col. of the 51st regiment, in the place of Thomas Woolfolk, resigned.

Wm. Sale, lieut. col. of the same regiment, in the place of Jesse Linsey, if promoted.

David Gibson, major of the same regiment, in the place of Wm. Sale, if promoted.

Benjamin Fowler, col. of the 67th regiment in the place of Abraham Depew, dec'd.

James M. Gains, lieut. col. of the same regiment, in the place of Benj. Fowler, if promoted.

George C. Terrell, major of the same regiment, in the place of James M. Gains, if promoted.

John R. Dickerson, col. of the 96th regiment, in the place of John Hamilton, resigned.

Richardson P. Hughes, lieut. col. of the same regiment in the place of J. R. Dickerson, if promoted.

James Flippin, major of the same regiment, in the place of Richardson P. Hughes, if promoted.



Samuel S. Brooking, brigade inspector of the 20th brigade, in the place of S. P. Sharp, if promoted.

Arthur Wallace, lieut. col. of the 49th regiment, in the place of Mosby James, resigned.

Joshua Render, major of the same regiment, in the place of Arthur Wallace, if promoted.

James Ensor, lieut. col. of the 87th regiment, in the place of Isaac Thomas, resigned.

John H. McHenry, major of the same regiment, in the place of Frederick Kellar, resigned.

Simeon Lloyd, col. of the 58th regiment, in the place of John Henderson, resigned.

James Shelby, major general of the fifth division, in the place of William Lewis, resigned.

Samuel L. Williams, brigadier general of the 5th brigade, in the place of James Shelby, if promoted.

Robert McConnell, brigade quarter-master for the ninth brigade, in the place of George Robertson, resigned.

JOHN ADAIR.

November 2d, 1820.

*Resolved*, That the senate advise and consent to said appointments, except those of John Newman, col. of the 41st regiment; John Shacklett, lieut. col. of the 3d regiment; Wm. Morgan, maj. of the same regiment; Wm. Layton, lieut. col. of the 26th regiment; Azariah Doty, major of the same regiment; Isaac W. Dabney, col. of the 33d regiment; Jacob Oglesby, lieut. col. of same regiment; Thomas C. Powell, major of same regiment; John Reedy, major of the 4th regiment; James Baker, major of the 13th regiment, and Bazel Waring, lieut. col. of the 70th regiment; which were severally laid on the table.

The senate received from the governor by the secretary of state, a message in writing containing certain nominations.

And the rule being dispensed with, they were taken up, and read as follows, to-wit:

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following gentlemen, to be commissioned during good behaviour, to-wit:

Archibald M. Campbell, col. of the 23d regiment, in the place of Major J. Price, resigned.

Thomas Grubbs, lieut. col. of the same regiment, in the

place of A. M. Campbell, if promoted.

Samuel Poindexter, major of the same regiment, in the place of Thomas Grubbs, if promoted.

Frederick Weller, lieut. col. of the 91st regiment, in the place of Christian Orendorf, resigned.

William M. Blakey, major of the same regiment, in the place of Frederick Weller, if promoted.

Willis Loving, brigade quarter-master of the 11th brigade, in the place of Edward Jones, resigned.

JOHN ADAIR.

November, 4th, 1820.

*Resolved*, That the senate advise and consent to said appointments.

*Ordered*, That messrs. Worthington and Mountjoy, inform the governor thereof.

Engrossed bills, to-wit :—a bill authorising a change of venue in the case of William Chamberlaine, a bill for the benefit of Catharine Wilkinson, and a bill for the benefit of Philemon Waters, were severally read a third time.

*Resolved*, That the said bills do pass, and that the titles be respectively, “an act authorising a change of venue in the case of William Chamberlaine; an act for the benefit of Catharine Wilkinson, and an act for the benefit of Philemon Waters.”

*Ordered*, That Mr Owens carry the first, the clerk the second, and Mr. McLean the third, to the house of representatives and request their concurrence.

Mr. Lackey from the select committee to whom was referred, a bill for the appointment of commissioners to confer with commissioners from Virginia, to fix the point where the road leading from Mountsterling to the Virginia line crosses it, reported the same with an amendment, which was concurred in; the bill was then further amended at the clerk's table, and being engrossed, was read a third time.

*Resolved*, That the said bill do pass, and that the title be “an act providing for the appointment of commissioners to confer with commissioners from Virginia to fix the point where the road leading from Mountsterling to the Virginia line shall cross it.

*Ordered*, That the clerk do carry said bill to the house of representatives and request their concurrence.

Mr. Given from the select committee appointed for that purpose, reported a bill to establish and regulate the town of Princeton.

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Which was read the first time and ordered to be read a second time.

And then the senate adjourned.

MONDAY, NOVEMBER 6, 1820.

The senate assembled.

The lieut. governor being absent, Mr. Hickman was unanimously elected speaker for the occasion.

Mr. Owens presented sundry documents in relation to the formation of a new county out of the counties of Adair, Cumberland and Wayne.

Which were referred to the committee of propositions and grievances.

Mr. Davidson presented the petition of John Green, one of the heirs of John Green late of Virginia, praying that he may be vested with discretionary powers in relation to the portions of three infant heirs in said estate.

Which was read and referred to the committee for courts of justice.

The nominations of the second November, were again taken up.

*Resolved*, That the senate advise and consent to the appointments of John Newman, col. of the 41st regiment; James Baker, major of the 13th regiment; and Bazil Waring, lieut. col. of the 70th regiment.

*Ordered*, That messrs. Ward and Ewing, inform the governor thereof.

On the motion of Mr. Eve, leave was given to bring in a bill for the benefit of Thomas Mahan; and messrs. Eve, Mountjoy and Roper, were appointed a committee to prepare and bring it in.

A bill from the house of representatives entitled an act for the benefit of the heirs of Cornelius Robertson, dec'd. was read a second time.

And the rule being dispensed with, it was read a third time.

*Resolved*, That the said bill do pass, and that the clerk inform the house of representatives thereof.

A bill to regulate and establish the town of Princeton, was read a second time and ordered to be engrossed and read a third time.

And the rule being dispensed with, the bill was engrossed and read a third time.

*Resolved*, That the said bill do pass, and that the title be "an act to establish and regulate the town of Princeton."

*Ordered*, That Mr Given do carry said bill to the house of representatives and request their concurrence.

An engrossed bill to form a new judicial district, and to regulate certain judicial districts, was read a third time and laid on the table.

The senate received from the governor by the secretary of state, a message in writing containing certain military nominations.

And then the senate adjourned.

## TUESDAY, NOVEMBER 7, 1820.

The senate assembled.

Mr. Marshall presented the petition of Charles W. J. Jerome an alien, praying that he may be empowered to hold an interest in certain lands in the state of Kentucky, and to execute a trust confided to him and others.

Mr. Gerin presented the petition of Nathaniel Harris, a methodist minister of the gospel, praying that said society may have secured to them, the right of using the church in Frankfort, one Sunday in every month.

Mr. Owens presented the petition of Daniel Trabue and others, praying that they may be permitted to locate vacant lands on the Cumberland river, where they are boring for salt water.

Which were severally read and referred, the first to the committee for courts of justice, the second to the committee of religion, and the third to messrs. Owens, Marshall and Lackey, with power to report by bill or otherwise.

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker,*

The house of representatives have received official information that the governor did on the 31st of October last, approve and sign sundry enrolled bills of the following titles, to-wit :

An act for the benefit of John Francis and Richard Slavy, and Joseph Barnett and his associates, and Marcus Huling, and company.

An act to legalize the acts of the trustees of the town of Lawrenceburg.



An act for the benefit of Ignatius Turley and Thomas Cooper.

An act to change the place of holding the election in the precinct of Hopkins county.

An act for the benefit of the heirs of Henry Rhorer.

An act for the relief of the heirs of Spencer Fletcher and Stephen Ferguson.

An act to change the time of holding the July term of the Bracken circuit court.

They concur in the amendments proposed by the senate to a bill entitled an act to erect election precincts in certain counties in this commonwealth.

They disagree to the amendments proposed to a bill entitled an act providing for the repairing and furnishing the government house, and for other purposes.

They have passed a bill from the senate entitled an act regulating the mode of admitting to the bar, attorneys of adjoining states.

And they have passed bills of the following titles, to-wit:

1. An act for the benefit of Newell Beauchamp and Joseph McClosky; 2. an act concerning the salaries of commonwealth's attorneys; 3. an act adding a small part of Owen county to the county of Franklin; 4. an act to appoint an additional number of justices of the peace, in, and for the county of Simpson; and 5. an act for the benefit of Mary Neal, in which bills they request the concurrence of the senate.

And then he withdrew.

The said bills were severally read the first time, and ordered to be read a second time.

And the rule being dispensed with, the 1st, 2d, 4th and 5th, bills, were read a second time, the 4th being amended at the clerk's table, and the 1st, 2d and 4th, were read a third time.

*Resolved*, That the 1st, 2d and 4th, bills do pass, the 4th as amended, and that the title thereof be amended to read, "an act allowing an additional number of justices to certain counties."

*Ordered*, That the clerk inform the house of representatives thereof, and request their concurrence in the amendments.

The fifth bill was committed to messrs. Lackey, Owens and Davidson.

Mr. Marshall from the select committee to whom was referred, a bill granting a divorce to Elizabeth Western, reported the same with an amendment, which was concurred in, and the bill ordered to be engrossed and read a third time.

The following bills were reported from the select committees appointed for that purpose, to-wit :

By Mr. Eve—a bill for the benefit of Thomas Mahan.

And by Mr. Owens—a bill for the benefit of Daniel Trabue and others.

Which were read the first time and ordered to be read a second time.

Engrossed bills, to-wit :—a bill for the benefit of John A. Markley, and a bill to form a new judicial district, and to regulate certain judicial districts, were severally taken up ; the latter bill was committed to messrs. Slaughter, Ewing, Southgate, M'Lean and Eve ; the former was amended by way of engrossed ryder.

*Resolved*, That the former bill do pass, and that the title be “ an act for the benefit of John A. Markley.”

*Ordered*, That the clerk do carry said bill to the house of representatives and request their concurrence.

The lieut. governor appeared and resumed the chair.

A bill from the house of representatives entitled an act providing for the repairing and furnishing the government house, and for other purposes, and the amendment proposed by the senate were again taken up and severally read.

*Resolved*, That the senate recede from their amendment.

*Ordered*, That the clerk inform the house of representatives thereof.

Mr. Slaughter from the joint committee of enrolments, reported, that they had examined an enrolled bill entitled an act regulating the mode of admitting to the bar, attorneys of adjoining states.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker*,

The speaker of the house of representatives having signed an enrolled bill, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed the said bill, being the same reported to-day by Mr. Slaughter, and it was deliver-

all to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Slaughter from the committee, reported that they had performed that duty.

*Ordered*, That the committee of the whole house on the state of the commonwealth, be discharged from the further consideration of a bill for the relief of settlers in certain cases, and the bill was ordered to be engrossed and read a third time.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Barbee in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Barbee reported, that the committee had according to order, had under consideration, a bill to regulate appeals from justices of the peace, and a bill limiting the time of holding elections in the several precincts; and had gone through the same with amendments, which he handed in at the clerk's table.

The former bill with the amendments was committed to messrs. Ward, White and Bowmar, and the latter bill was laid on the table until the first day of March next.

And then the senate adjourned.

### WEDNESDAY, NOVEMBER, 8, 1820.

The senate assembled.

The senate received information by the secretary of state, that the governor did on yesterday, approve and sign an enrolled bill which originated in the senate, of the following title, to-wit:

An act regulating the mode of admitting to the bar, attorneys at law of adjoining states.

*Ordered*, That the clerk inform the house of representatives thereof.

They also received from the governor by the secretary of state, a message in writing, containing certain military nominations.

On the motion of Mr. Gorin, the committee of religion was discharged from the further consideration of the petition of Nathaniel Harris, and leave was given to withdraw it.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Bowmar—a bill for the benefit of John M'Kinney, late deputy sheriff of Jessamine county.

And on the motion of Mr. Mountjoy—a bill to establish and endow a seminary in the county of Grant.

Messrs. Bowmar, Faulkner and Briscoe, were appointed a committee to prepare and bring in the former, and messrs. Mountjoy, Southgate and Eve, the latter.

Mr. Lackey from the select committee to whom was referred, a bill from the house of representatives entitled an act for the benefit of Mary Neal, reported the same with amendments; which were twice read, concurred in, and the bill read a third time as amended.

*Resolved*, That the said bill as amended, do pass, and that the title be amended to read “an act for the benefit of Mary Neal, Mary Webb and Andrew Love.”

*Ordered*, That the clerk do inform the house of representatives thereof, and request their concurrence in the amendments.

The following bills were reported from the select committees to whom they were referred, to-wit:

By Mr. Flourney—a bill for the benefit of the 70th regiment.

By Mr. Ward—a bill to regulate appeals from justices of the peace; with amendments in lieu of the bills.

The former with the amendment, was referred to messrs. Bowmar, Ward, Hickman, Ewing and Flourney; and the latter was laid on the table until to-morrow.

On the motion of Mr. Flourney,

*Ordered*, That a message be sent to the house of representatives, asking leave to withdraw the report of the passage of a bill for the benefit of John A. Markley, and that Mr. Flourney carry said message.

Mr. Roper from the committee for courts of justice, reported a bill for the benefit of the heirs of John Green.

Which was read the first time and ordered to be read a second time.

A bill from the house of representatives entitled an act adding a small part of Owen county, to the county of Franklin, was read a second time.

And the rule being dispensed with, it was read a third time.

*Resolved*, That the said bill do pass, and that the clerk inform the house of representatives thereof.

A bill for the benefit of Daniel Trabue and others, and a bill for the benefit of Thomas Mahan, were severally read a second time and ordered to be engrossed and read a third time.



Engrossed bills, to-wit :—a bill for the relief of settlers in certain cases, and a bill granting a divorce to Elizabeth Western, were severally read a third time ; the former was committed to messrs Eve, Bowmar and Dollerhide.

*Resolved*, That the latter bill do pass, and that the title be “ an act granting a divorce to Elizabeth Western.”

*Ordered*, That the clerk do carry said bill to the house of representatives and request their concurrence.

Mr. Marshall presented the petition of the President and Directors of the Frankfort and Shelbyville turnpike road company, praying that the law incorporating said company, may be amended ; which was referred to the committee of propositions and grievances.

And then the senate adjourned.

#### THURSDAY, NOVEMBER 9, 1820.

The senate assembled.

Mr. Given presented the petition of the Baptist Church on Clark's river in Caldwell county, praying a donation of 25 acres of land in said county, for the purpose of keeping and supporting a meeting and school house ; which was read and referred to the committee of Religion.

Mr Barbee from the joint committee of enrolments, reported, that they had examined sundry enroled bills of the following titles, to-wit :

An act concerning the salaries of commonwealth's attorneys.

An act for the benefit of the heirs of Cornelius Robinson, dec'd.

An act to establish a public library at the seat of government.

An act for the benefit of Newell Beauchamp and Joseph M'Closky.

An act providing for the repairing and furnishing the government house, and for other purposes.

An act to erect election precincts in certain counties in this commonwealth, and for other purposes.

And had found the same truly enroled.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker*,

The speaker of the house of representatives having signed

sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills, being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Slaughter from the committee, reported that they had performed that duty.

A message from the house of representatives by Mr. Garrard :

*Mr. Speaker,*

The house of representatives have adopted a resolution to appoint a joint committee to enquire into the necessity of providing for the safe keeping of the public arms and offices for the adjutant and quarter-master general ; in which they request the concurrence of the senate.

And then he withdrew.

The said resolution was taken up read, and concurred in as follows, to-wit :

IN THE HOUSE OF REPRESENTATIVES, Nov. 7, 1820.

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That a joint committee of two from the senate, and four from the house of representatives, be appointed to inquire, and report to each house the necessity (if any) to provide by law for the safe keeping of the public arms, and providing an office for the adjutant and quarter-master generals.

Attest.

R. S. TODD, C. H. R.

And messrs. Marshall and Owens, were appointed on the part of the senate, pursuant to said resolution.

*Ordered,* That the clerk inform the house of representatives thereof.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration, a petition to them referred, and have come to the following resolutions thereupon, to-wit :

*Resolved,* That so much of the petition of the Shelbyville and Frankfort turnpike road company, as prays for the pas-

sage of a law authorising the governor to subscribe for two hundred and fifty shares of the stock of said company payable by a transfer of stock held by the state in the bank of Kentucky, *is reasonable.*

*Resolved,* That so much of the petition as prays the passage of a law authorising said company to erect gates and to exact toll on such parts of said road as are turnpiked at any one point three miles, *is reasonable.*

*Resolved,* That so much of said petition as prays the passage of a law authorising said company to commence and maintain suits, on the several instalments for stock as they severally become due, *is reasonable.*

Which was read and committed to messrs. Marshall, Ford, White, Bowmar and Pope.

Mr. Dollerhide from the committee of Religion, made the following report, to-wit :

The committee of religion have according to order, had under consideration, a petition to them referred, and have come to the following resolution thereupon, to-wit :

*Resolved,* That the petition of sundry pew holders in the Church established in the town of Frankfort, praying a law to be passed authorising them to elect seven trustees annually, and to repeal the law authorising a preference to be given to a particular denomination of christians, for more than one Sabbath in a month, *is reasonable.*

Which was twice read and concurred in.

*Ordered,* That said committee prepare and bring in a bill pursuant to said resolution.

Mr. Ewing moved for leave to bring in a bill to alter the mode of laying and collecting county levies.

And the question being taken on granting the leave, it was resolved in the negative—Yeas 12, Nays 22.

The yeas and nays being required thereon by messrs. Ewing and Given, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Dollerhide, Ewing, Harrison, Lackey, Mountjoy, Owens, Pickett, Roper, Smith, Turner, White, and Wood.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Clay, Davidson, Eve, Faulkner, Flournoy, Ford, Given, Gorin, Hickman, Jones, Marshall, M'Lean, Perrin, Slaughter, Southgate, Ward, Weir and Worthington.

And so leave was refused.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Flournoy—a bill to prevent unnecessary litigation.

And on the motion of Mr. White—a bill to re-organize certain judicial districts, and for other purposes.

Messrs. Flournoy, Turner and Hickman, were appointed a committee to prepare and bring in the former; messrs. White, Eve, Roper, Southgate and Marshall, the latter.

The senate took up the nominations of the 6th and 7th inst. which were read as follows, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following gentlemen, to be commissioned during good behaviour, to-wit :

Robert Botts, col. of the 51st regiment, in the place of Samuel L. Williams, if promoted.

Joseph Harrow, lieut. col. of the same regiment, in the place of Robert Botts, if promoted.

Thaddeus Williams, major of the same regiment, in the place of Joseph Harrow, if promoted.

Samuel W. Gammon, major of the 70th regiment, in the place of Bazel Waring, if promoted.

JOHN ADAIR.

November, 6th, 1820.

*Gentlemen of the Senate,*

Since my message to you of the second instant, in which I nominated for your advice and consent, sundry gentlemen to be commissioned during good behaviour, in the military department, I have discovered two small mistakes, to-wit :

Morris Wright, major of the 90th regiment, in the place of James White, if promoted, should have been Moses Wright.

John Reedy, major of the 4th regiment, in the place of Peter Brown, if promoted, should have been John Purdy.

JOHN ADAIR.

November 7th, 1820.

The nominations of Wm. Layton, lieut. col. of the 26th regiment; Azariah Doty, major of same; Isaac W. Dabney, col. of 53d regiment; Jacob, Oglesby, lieut. col. of same regiment; and Thomas C. Powell, major of same regiment; which were made on the 2d inst. were also taken up.



*Resolved*, That the senate advise and consent to said appointments.

*Ordered*, That Mr. Williams, inform the governor thereof.

Mr. Eve from the select committee to whom was referred, an engrossed bill for the relief of certain settlers, reported the same with amendments; which were concurred in, and the bill ordered to be re-engrossed and read again.

A bill to regulate appeals from justices of the peace, was taken up, the amendment concurred in, and the bill ordered to be engrossed and read a third time.

A bill for the benefit of the heirs of John Green, was read a second time, and ordered to be engrossed and read a third time.

Engrossed bills, to-wit:—a bill for the benefit of Daniel Trabue and others, and a bill for the benefit of Thomas Mahan, were severally read a third time.

*Resolved*, That the said bills do pass, and that the titles be respectively, “an act for the benefit of Daniel Trabue and others; and an act for the benefit of Thomas Mahan.”

*Ordered*, That the clerk do carry said bills to the house of representatives and request their concurrence.

And then the senate adjourned.

#### FRIDAY, NOVEMBER 10, 1820.

The senate assembled.

The senate received from the governor by the secretary of state, a message in writing.

And the rule being dispensed with, it was taken up and read as follows, to-wit:

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following gentlemen to be commissioned during good behaviour, to-wit:

William Warren, circuit judge in and for this commonwealth, in the third judicial district, in the place of Charles Humphreys, resigned.

John L. Bridges, circuit judge, in and for this commonwealth, in the twelfth judicial district, in the place of Thomas Montgomery, resigned.

JOHN ADAIR.

November 10th, 1820.

*Resolved unanimously,* That the senate advise and consent to said appointments.

*Ordered,* That messrs. Ward and Perrin, inform the governor thereof.

A message from the house of representatives by Mr. Butler :

*Mr. Speaker,*

I am directed to inform the senate that the house of representatives in pursuance of an application from the senate, have given leave to withdraw a bill which was announced as having passed the senate, for the benefit of John A. Markley, and directed the same to be returned.

And then he withdrew.

Whereupon Mr. Wood, who voted for the passage of the bill, moved to re-consider it, which was done, and the bill re-committed to messrs. Flournoy, Southgate, White, Marshall and Bowmar.

A message from the house of representatives by Mr. T. P. Moore :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to authorise the publication of advertisements in the Wasp, Independant Gazette and Olive Branch, in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time, and the rule being dispensed with, it was read a second time and laid on the table.

On the motion of Mr. Lackey,

Leave was given to bring in a bill supplemental to an act for the formation of the county of Perry.

And messrs. Lackey, Eve and Williams, were appointed a committee to prepare and bring in the same.

Engrossed bills, to-wit :—a bill for the benefit of the heirs of John Green, and a bill regulating appeals from justices of the peace, were severally read a third time.

*Resolved,* That the said bills do pass, and that the titles be respectively, “ an act for the benefit of the heirs of John Green ; and an act to regulate appeals from justices of the peace to the county courts.”

*Ordered,* That Mr. Davidson do carry the former, and Mr. Ewing the latter bill to the house of representatives, and request their concurrence.

An engrossed bill for the relief of settlers in certain counties was read again as follows, to-wit :

WHEREAS it is represented to this general assembly, that certain persons by mistake, have settled themselves upon lawfully appropriated land, supposing the same to be vacant, and have paid their money into the treasury for the same, and being since evicted therefrom by military or other better claims, and thereby have lost their lands, improvements and money, or a part thereof: For remedy whereof.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That any person or persons, claiming lands under the provisions of "an act for the relief of the settlers on the south side of Green river, approved December 21, 1795," and "an act for encouraging and granting relief to settlers, approved, March 1, 1797," and "an act for settling and improving the vacant lands of this commonwealth, approved, December 20, 1800," who have heretofore by mistake, settled themselves upon military or other lands, lawfully appropriated, and have paid, or shall hereafter pay, any money into the treasury for such lands, it shall, and may be lawful, for the circuit courts of the counties in which said lands may lie, upon proper proof being produced to them, that such person or persons, have actually lost their lands, and his, her, or their improvements, or part thereof, the same being covered by prior or better claims, to grant to such person or persons, a certificate of said eviction, describing in said certificate, the person to whom such claim was originally granted, by what court, and the number of the certificate.

§ 2. Upon the production of a certificate of the court as above described to the auditor of public accounts, he shall issue his warrant on the treasurer for the amount which the applicant may be entitled to; which said warrant shall be discharged by the way of credit in paying on other lands granted under the before recited acts.

§ 3. The auditor of public accounts shall be, and he is hereby authorised to receive and audit in like manner as above, all such certificates as may have been granted by the several courts, subsequent to the expiration of "an act to amend an act entitled an act for the relief of settlers of this commonwealth in certain cases, approved, December 17, 1806." *Provided,* That the said claims have not heretofore been paid.

And the question being taken on the passage thereof, it was resolved in the negative.—Yeas 16, Nays 19.

The yeas and nays being required thereon by messrs. Perrin and Ewing, were as follows, to-wit:

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Those who voted in the affirmative are—messrs. Barbee, Briscoe, Davidson, Dollerhide, Eve, Ewing, Given, Gorin, Hickman, Marshall, Owens, Slaughter, Turner, Weir, Wood and Worthington.

Those who voted in the negative are—messrs. Anderson, Bowmar, Clay, Faulkner, Flournoy, Ford, Harrison, Jones, Lackey, Mountjoy, Perrin, Pickett, Roper, Smith, Southgate, Throckmorton, Ward, White and Williams.

And so the said bill was rejected.

Mr. Marshall presented the petition of sundry citizens of Gallatin county, praying to be added to Owen county.

Which was read and referred to the committee of propositions and grievances.

Leave of absence from the service of the senate was granted to Mr. M'Lean, until Wednesday next.

The following engrossed bills were reported from the select committees to whom they were referred, with amendments to each, to-wit :

By Mr. Slaughter—a bill to form a new judicial district, and to regulate certain judicial districts.

And by Mr. Bowmar—a bill for the benefit of the 70th regiment.

The said amendments were severally twice read, and the former bill laid on the table.

Mr. Faulkner then moved to lay the latter bill on the table until the first day of June next, and a division of the question was called for by Mr. Wood.

And then the senate adjourned.

#### SATURDAY, NOVEMBER 11, 1820.

The senate assembled.

Mr. Throckmorton presented the petition of sundry citizens of Fleming county, praying to be added to Nicholas county.

Which was read and referred to the committee of propositions and grievances.

Mr. Dollerhide from the committee of religion, to whom was referred, a bill from the house of representatives entitled an act to provide for the protection of public buildings, reported the same with an amendment, which was concurred in, and the bill laid on the table until Monday.

Mr. Flournoy from the select committee to whom was referred an engrossed bill for the benefit of John A. Markley,



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reported the same with amendments, which were twice read, the first concurred in, and the second and third disagreed to ; the bill was ordered to be re-engrossed and read again, and having been re-engrossed was read.

*Resolved*, That the said bill do pass, and that the title be  
“ an act for the benefit of John A. Markley.”

*Ordered*, That the clerk do carry said bill to the house of representatives and request their concurrence.

The following bills were reported from the several committees appointed to prepare and bring in the same to-wit :

By Mr. Lackey—a bill supplemental to an act for the formation of the county of Perry.

And by Mr. Jones—a bill providing for the repairing and improvement of the penitentiary.

Which were severally read the first time and ordered to be read a second time.

The rule being dispensed with, the former bill was read a second time and ordered to be engrossed and read a third time.

On motion of Mr. Barbee, leave of absence was granted Mr. Briscoe from the service of the senate, until Tuesday next.

And then the senate adjourned.

## MONDAY, NOVEMBER 13, 1820.

The senate assembled.

Mr. Jones presented the petition of Green Clay, praying that a law may pass, authorising treasury warrants which were located west of Tennessee river, to be surveyed.

Which was read and referred to the committee for courts of justice.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration, the petition of sundry citizens of Fleming county, praying to be added to Nicholas county, and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said petition is reasonable.

Which was twice read and concurred in.

*Ordered*, That the committee prepare and bring in a bill pursuant thereto.

Mr. Ward who voted in the majority, whereby an engrossed bill for the relief of certain settlers was rejected, moved to re-consider the vote ; which was done, and the bill committed to messrs. Ward, Dollerhide and Owens.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Dollerhide—a bill to amend an act entitled an act concerning a house of public worship in the town of Frankfort.

By Mr. Flournoy—a bill to prevent unnecessary litigation.

And by Mr. Ward—a bill for the relief of the sheriff of Greenup county.

Which were severally read the first time and ordered to be read a second time.

Ordered, That the public printers forthwith print 800 copies of the second bill for the use of the members of the senate.

A bill concerning venire men and witnesses, was taken up and committed to messrs. Flournoy, Jones and Ewing.

A message from the house of representatives by Mr. Brents :

*Mr. Speaker,*

The house of representatives have passed a bill entitled “an act to establish the bank of the commonwealth of Kentucky,” in which they request the concurrence of the senate.

And then he withdrew.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Barbee—a bill to repeal in part, an act declaring Nolin navigable.

On the motion of Mr. Gorin—a bill providing for the examination of the county court clerks and surveyors’ offices.

And on the motion of Mr. Faulkner—a bill for the relief of the stockholders of the late independent banks.

Messrs. Barbee, Gorin and Crutcher, were appointed a committee to prepare and bring in the first ; messrs. Gorin, Pickett and White, the second, and messrs. Faulkner, Bowmar and Williams, the third.

And after some time Mr. Barbee from the first committee, reported a bill which was read the first time.

And the rule being dispensed with, it was read a second time and ordered to be laid on the table.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the

state of the commonwealth, Mr. Gorin in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gorin reported, that the committee had according to order, taken under consideration, resolutions concerning the pecuniary embarrassment of the country, and made an amendment thereto, but not having time to go through the same, had instructed him to ask for leave to sit again.

An engrossed bill to form a new judicial district, and to regulate certain judicial districts, and the proposed amendments, were again taken up, further amendments were offered, and the whole committed to messrs. Owens, Eve, Slaughter, Pope, Turner, Anderson and Ewing.

And then the senate adjourned.

## TUESDAY, NOVEMBER 14, 1820.

The senate assembled.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit:

By Mr. Ewing, from the committee of propositions and grievances—a bill to add a part of Fleming to Nicholas county.

By Mr. Gorin—a bill providing for an examination of the county court clerks' and surveyors' offices.

And by Mr. Faulkner—a bill for the benefit of the stockholders of Independent banks.

Which were severally read the first time and ordered to be read a second time.

*Ordered,* That Mr. Marshall be excused from, and Mr. Williams added to, the joint committee to examine and report the state of the offices of the adjutant and quarter-master general.

Mr. Pope from the select committee to whom was referred, a bill to form a new judicial district, and to regulate certain judicial districts, reported the same with an amendment, which was concurred in, and the bill re-committed to the same committee.

An engrossed bill for the relief of the 70th regiment was taken up, the amendment reported by the committee concurred in with an amendment, and the bill ordered to be re-engrossed and read again.

A bill from the house of representatives entitled an act to provide for the protection of public buildings, was taken up.

and the amendment reported by the committee concurred in with amendments, and the bill read a third time.

*Resolved*, That the said bill as amended do pass, and that the clerk inform the house of representatives thereof, and request their concurrence in the amendment.

Bills from the house of representatives of the following titles, to-wit :

An act to establish the bank of the commonwealth of Kentucky.

And an act to authorise the publication of advertisements in the Wasp and Independent Gazette, and Olive Branch, were severally read, the former the first time, and the latter a second time.

And the rule being dispensed with, the former bill was read a second time, and committed to a committee of the whole house on the state of the commonwealth, for Thursday next.

The latter bill was ordered to be read a third time.

A bill providing for the repairing and improvement of the penitentiary ; a bill to amend an act concerning a house of public worship in the town of Frankfort ; a bill for the relief of the sheriff of Greenup county, and a bill to prevent unnecessary litigation, were severally read a second time.

The two former amended and ordered to be engrossed and read a third time.

And the two latter were committed to a committee of the whole house on the state of the commonwealth.

An engrossed bill supplemental to an act forming the county of Perry, was read a third time.

*Resolved*, That the said bill do pass, and that the title be "an act supplemental to an act forming the county of Perry."

*Ordered*, That the clerk do carry said bill to the house of representatives, and request their concurrence.

And then the senate adjourned.

WEDNESDAY, NOVEMBER, 15, 1820.

The senate assembled.

Mr. Dollerhide presented the petition of sundry citizens of the town of Somerset, praying that the county court of Pulaski may be authorised to have made a re-survey of the town.



Which was read and referred to messrs. Dollerhide, Eve and Barbee, with leave to report by bill or otherwise.

Mr. Ewing read and laid on the table, a resolution fixing a day for the election of a president and directors to the bank of Kentucky, also a treasurer and public printer.

A bill to repeal in part an act declaring Nolin navigable, was taken up and ordered to be engrossed and read a third time.

Mr. Ward from the select committee to whom was referred an engrossed bill for the relief of certain settlers, reported the same with an amendment, which was concurred in, and the bill ordered to be re-engrossed and read again.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Dollerhide—a bill to regulate the town of Somerset.

And by Mr. Bowmar—a bill for the relief of John M'Kinney, late deputy sheriff of Jessamine county.

Which were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, the first bill was read a second and third time, (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be “an act to regulate the town of Somerset.”

*Ordered*, That Mr. Dollerhide do carry said bill to the house of representatives and request their concurrence.

A message from the house of representatives. by Mr. Emersom :

*Mr. Speaker*,

The house of representatives concur in the amendment proposed by the senate to a bill entitled an act for the benefit of Mary Neal.

And then he withdrew.

A message from the house of representatives by Mr. Stevenson :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act for the relief of Sandford Kean, in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time, and the rule being dispensed with, it was read a second and third times.

*Resolved*, That the said bill do pass, and that Mr. Roper inform the house of representatives thereof.

A message from the house of representatives by Mr. Williams :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to amend an act for appropriating the vacant lands in this commonwealth, in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time and ordered to be read a second time.

Engrossed bills to-wit :—a bill for the benefit of the 70th regiment of Kentucky militia ; a bill providing for the repairing and improvement of the penitentiary ; and a bill to amend an act concerning a house of public worship in the town of Frankfort, were severally read a third time.

The question being taken on the passage of the first bill, it was resolved in the affirmative—Yeas 19, Nays 17.

The yeas and nays being required thereon by messrs. Faulkner and Jones, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Ewing, Flournoy, Hickman, Marshall, Mountjoy, Roper, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, White, Wood and Worthington.

Those who voted in the negative are—messrs. Clay, Crutcher, Davidson, Dellerhide, Eve, Faulkner, Ford, Given, Gorin, Harrison, Jones, Lackey, Owens, Pickett, Pope, Southgate, and Williams.

*Resolved*, That the first and second bills do pass, and that the titles be respectively, “ an act providing for the repairing and improvement of the penitentiary, and an act remitting certain militia fines.”

*Ordered*, That Mr. Ewing do carry the first, and Mr. Ward the second, to the house of representatives, and request their concurrence.

The third bill was committed to messrs. Marshall, Given and Bowmar.

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker,*

The house of representatives concur in the amendments proposed by the senate, to a resolution providing for the purchase of a set of the journals of both branches of the legislature, and to a bill entitled an act to appoint an additional number of justices in Simpson county.

And they have passed bills of the followieg titles, to-wit :

An act to amend an act entitled an act establishing the Prestonsburg academy, in the county of Floyd, approved, January 13, 1820.

An act to change the place of holding elections in the precinct in Campbell county.

An act to amend an act reducing into one, the several acts for apprehending and securing runaways.

And an act for the benefit of Jonathan Bozarth, in which bills they request the concurrence of the senate.

And then he withdrew.

The said bills were severally read the first time, and ordered to be read a second time.

The rule being dispensed with, the two former bills were read a second and third time.

*Resolved*, That the said bills do pass, and that Mr. Roper inform the house of representatives thereof.

A bill from the house of representatives entitled an act authorising the insertion of advertisements in the Wasp and Independent Gazette, and Olive Branch, was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Ward inform the house of representatives thereof.

A bill to add a part of Fleming to Nicholas county ; a bill for the benefit of the stockholders of the late Independent banks, and a bill providing for the examination of the county court clerks, and surveyors' offices, were severally read a second time and the second amended.

The first was re-committed to the committee of propositions and grievances ; the second ordered to be engrossed and read a third time, and the third was committed to messrs. White, Ewing and Gorin.

And after some time Mr. White reported the same with amendments.

And then the senate adjourned.

#### THURSDAY, NOVEMBER 16, 1820.

The senate assembled.

Mr Barbee from the joint committee of enrolments, reported, that they had examined sundry enroled bills and an enroled resolution of the following titles, to-wit :

An act for the benefit of Mary Neal, Mary Webb and Andrew Lore.

An act to appoint an additional number of justices of the peace in certain counties in this commonwealth.

An act adding a small part of Owen county to the county of Franklin.

An act to authorise the publication of advertisements in the Wasp, Independent Gazette and Olive Branch.

A resolution providing for the purchase of a set of the journals of the legislature.

A resolution to appoint a joint committee to enquire into the necessity of providing for the safe keeping of the public arms, and offices for the adjutant and quarter-master generals.

And had found the same truly enroled.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enroled bills and an enroled resolution, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills and resolution, being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from the committee, reported that they had performed that duty.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Faulkner in the chair ; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Faulkner reported, that the committee had according to order, taken into consideration, a bill from the house of representatives, entitled an act to establish the bank of the commonwealth of Kentucky, and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again.

And then the senate adjourned.

FRIDAY, NOVEMBER 17, 1820.

The senate assembled.

A message from the house of representatives by Mr. McAfee :



*Mr. Speaker,*

The house of representatives concur in the amendment proposed by the senate to a bill entitled an act to provide for the protection of public buildings.

And then he withdrew.

A message from the house of representatives by Mr. Butler :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the relief of London Ferril and Rhoda his wife, in which they request the concurrence of the senate.

And then he withdrew.

A message from the house of representatives by Mr. Cockerill :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the benefit of Thomas Griffin, in which they request the concurrence of the senate.

And then he withdrew.

Mr. Barbee from the joint committee of enrolments, reported that they had examined sundry enroled bills of the following titles, to-wit :

An act for the relief of Sandford Keene.

An act to change the place of holding elections in the precinct in Campbell county.

And an act to amend an act entitled an act establishing the Prestonsburg academy in the county of Floyd, approved January 13, 1820.

And had found the same truly enroled.

Mr. Ewing from the committee of propositions and grievances, to whom was referred a bill to add a part of Fleming to Nicholas county, reported the same without amendment.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth. Mr. Faulkner in the chair ; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Faulkner reported, that the committee had according to order, resumed the consideration of a bill from the house of representatives, entitled an act to establish the bank of the commonwealth of Kentucky, and had made further progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again.

And then the senate adjourned.

SATURDAY, NOVEMBER 18, 1820.

The senate assembled.

The speaker laid before the senate the petition of sundry citizens of the state, praying that a law may be passed to prevent the exportation of slaves from the state as merchandise.

Mr. Harrison presented the petition of sundry citizens of Washington county, praying that the law of last session in relation to constables, may be so amended as to give each magistrate a constable.

Mr. Given presented the petition of the sheriff of Caldwell county, praying that a longer time be allowed him to collect and pay into the treasury, the revenue tax from said county, for the present year.

Mr. Mountjoy presented the remonstrance of sundry citizens of Gallatin county, against adding a part thereof to Owen county.

Which were severally read and referred, the three former to the committee for courts of justice, and the latter to the committee of propositions and grievances.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills being the same reported yesterday by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from the committee, reported that they had performed that duty.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration, the petition of sundry citizens of the counties of Bourbon, Clark and Montgomery, praying the formation of a new county out of part of each of said counties, and have come to the following resolution thereupon, to-wit :

*Resolved,* That said petition be rejected.

Which was twice read and concurred in.

Mr. Dollerhide from the committee of Religion, made the following report, to-wit :

The committee of religion have according to order, had under consideration, the petition of the Baptist Church in Caldwell county, praying a donation of land on Clark's river, and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said petition be rejected.

Which was twice read and concurred in.

The senate received from the governor by the secretary of state, three messages in writing, containing military nominations.

Mr. Ewing from the select committee to whom was referred, a bill to form a new judicial district, and to regulate certain judicial districts, reported the same without amendment.

Mr. Owens moved the following amendment in lieu of the bill, to-wit :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That two additional judicial districts shall be, and are hereby established ; one to be composed of the counties of Mercer, Lincoln, Jessamine, Garrard and Woodford, to be denominated the thirteenth judicial district. The other to be composed of the counties of Pulaski, Wayne, Cumberland, Adair, Green, Hart and Casey, to be denominated the fourteenth judicial district.

§ 2. That a circuit judge and commonwealth's attorney, shall be appointed for each of the said districts, possessing the same powers and emoluments that are by law allowed to those officers.

And that hereafter the twelfth judicial district shall be composed of the counties of Rockcastle, Clay, Perry, Harlan, Knox and Whitley.

And the 8th judicial district shall hereafter be composed of the counties of Barren, Allen, Simpson, Warren, Butler, Grayson and Monroe.

And the 9th judicial district shall hereafter be composed of the counties of Washington, Nelson, Hardin and Breckinridge.

And the sixth judicial district shall hereafter be composed of the counties of Logan, Muhlenburg, Hopkins, Union, Henderson, Daviess and Ohio.

And the seventh judicial district shall hereafter be composed of the counties of Christian, Todd, Trigg, Caldwell and Livingston.

The county of Owen shall be detached from the 2d judicial district, and added to the fourth.

Any law to the contrary notwithstanding.

The question being taken on the adoption thereof, it was resolved in the negative—Yeas 16, Nays 19.

The yeas and nays being required thereon by messrs. Bowmar and Anderson, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Briscoe, Crutcher, Ford, Lackey, Marshall, M'Lean, Owens, Perrin, Pickett, Roper, Southgate, Turner, Ward, White, and Wood.

Those who voted in the negative are—messrs. Anderson, Bowmar, Clay, Davidson, Dollerhide, Eve, Ewing, Faulkner, Given, Gorin, Harrison, Jones, Mountjoy, Pope, Slaughter, Throckmorton, Weir, Williams and Worthington.

Mr. Owens then moved to re-commit the bill to a select committee of eleven.

And then the senate adjourned.

#### MONDAY, NOVEMBER 20, 1820.

The senate assembled.

The lieutenant governor being absent Mr. Hickman was unanimously elected speaker for the occasion.

Mr. Owens presented the remonstrance of sundry citizens of Adair county, against taking any portion of said county for the formation of a new county.

Mr. Perrin presented the petition of Hannah Stoker, praying for a divorce from her husband William Stoker.

Which were severally read and referred, the former to the committee of propositions and grievances, and the latter to the committee of religion.

Mr. Crutcher who voted against the passage of a bill to repeal the law allowing fees to justices of the peace, moved to re-consider the vote, which was done, and the bill committed to messrs. Crutcher, Jones and Harrison.

And after some time Mr. Crutcher reported the bill with an amendment, which was concurred in, and the bill having been re-engrossed was read again.

The question was then taken on the passage thereof, and it was resolved in the affirmative—Yeas 20, Nays 13.

The yeas and nays being required thereon by messrs. Throckmorton and Crutcher, were as follows, to-wit :



Those who voted in the affirmative are—Mr. Speaker, messrs. Anderson, Barbee, Clay, Crutcher, Dollerhide, Faulkner, Flournoy, Gorin, Harrison, Jones, Marshall, Pickett, Roper, Slaughter, Throckmorton, Ward, White, Williams and Wood.

Those who voted in the negative are—messrs. Briscoe, Eve, Ewing, Lackey, M'Lean, Mountjoy, Owens, Perrin, Pope, Southgate, Turner, Weir and Worthington.

*Resolved*, That the said bill do pass, and that the title be “an act to repeal in part the law allowing fees to justices of the peace.”

*Ordered*, That Mr. Jones do carry said bill to the house of representatives and request their concurrence.

A message from the house of representatives by Mr. Lancaster:

*Mr. Speaker*,

The house of representatives have received official information that the governor did on the 18th inst. approve and sign enrolled bills and resolutions which originated in the house of representatives of the following titles, to-wit:

An act adding a small part of Owen county to the county of Franklin.

An act to authorize the publication of advertisements in the Wasp and Independent Gazette, and Olive Branch.

An act for the benefit of Mary Neal, Mary Webb and Andrew Lore.

An act to appoint an additional number of justices of the peace in certain counties in this commonwealth.

A resolution providing for the purchase of a set of the journals of the Legislature.

A resolution to appoint a joint committee to enquire into the necessity of providing for the safe keeping of the public arms, and offices for the adjutant and quarter-master generals.

And then he withdrew.

A bill to form a new judicial district and to regulate certain judicial districts, was re-committed to messrs. Pope, Owens, Eve, Slaughter, Turner, Anderson, Ewing, White, Marshall and Wood.

The lieut. governor appeared and resumed the chair.

A message from the house of representatives by Mr. Brents:

*Mr. Speaker*,

The house of representatives have passed bills of the following titles, to-wit:

An act supplemental to an act entitled an act for the benefit of the Grand Lodge of Kentucky.

An act for the relief of the heirs at law of John Walker, dec'd.

And they have adopted resolutions in relation to the purchase of public lands of the United States, in which they request the concurrence of the senate.

And then he withdrew.

The resolutions were read and committed to a committee of the whole house on the state of the commonwealth.

The bills were severally read the first time, and the rule being dispensed with, they were read a second time.

The former bill was read a third time, and the latter laid on the table.

*Resolved*, That the former bill do pass, and that Mr. Ward do inform the house of representatives thereof.

Mr. Marshall from the select committee to whom was referred a bill to amend an act concerning a house of public worship in the town of Frankfort, reported the same with amendments, which were twice read, the first disagreed to, and the second concurred in, and the bill ordered to be engrossed and read again.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Perrin—a bill to amend the act for opening a road from Georgetown to Augusta.

And on the motion of Mr. Marshall—a bill regulating suits on promissory notes and bills of exchange.

Messrs. Perrin, Clay and Throckmorton, were appointed a committee to prepare and bring in the former, and messrs. Marshall, Owens and Lackey, the latter.

The committee of the whole house on the state of the commonwealth, were discharged from the further consideration of a bill to suspend for a limited time, the power and authority of the governor and treasurer, to subscribe on the part of the state, for shares in the bank of Kentucky ; and a bill for the relief of the sheriff of Greenup county ; the former was ordered to be engrossed and read a third time, and the latter was committed to messrs. Ward, Crutcher and Ewing.

The following nominations made on the 18th inst. were taken up and read, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, Spence Minor, division quarter-master of the 4th division, in the place of James Guthrie, removed.

JOHN ADAIR.

November, 17th, 1820.

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following persons, to be commissioned during good behaviour, to-wit :

Thompson Ward, brigadier general of the 14th brigade, in the place of Alexander Lackey, resigned.

William Wadlington, col. of the 55th regiment, in the place of John C. Dodds, resigned.

William Harris, lieut. col. of the same regiment in the place of Wm. Wadlington, if promoted.

William R. Asher, major of the same regiment.

Hugh W. Robb, major of the 83d regiment, in the place of Solomon Blue, refused to accept his commission.

JOHN ADAIR.

*Resolved*, That the senate advise and consent to said appointments.

*Ordered*, That messrs. Ewing and Wood, inform the governor thereof.

A bill providing for an examination of the county court clerks' and surveyors' offices, and a bill to add a part of Fleming to Nicholas county, were severally taken up; the amendments proposed to the former were concurred in, and the bill laid on the table until the first day of May next.

The latter bill was ordered to be engrossed and read a third time.

Bills from the house of representatives of the following titles, to-wit :

An act for the benefit of Thomas Griffin, and an act for the relief of London Ferril and Rhoda his wife, were severally read the first time.

And the rule being dispensed with, they were read a second and third time.

*Resolved*, That the said bills do pass, and that Mr. Turner inform the house of representatives thereof.

A bill for the relief of John M'Kinney, late deputy sheriff of Jessamine county, was read a second time and ordered to be engrossed and read a third time.

Engrossed bills, to-wit:—a bill for the benefit of the stockholders of the late Independent banks; a bill to repeal in part the act declaring Nolin navigable, and a bill for the relief of certain settlers, were severally read a third time.

*Resolved*, That the two former bills do pass, and that the titles be respectively, “an act for the benefit of the stockholders of the late Independent banks, and an act to repeal in part, the act declaring Nolin navigable.”

*Ordered*, That Mr. Pepe do carry said bills to the house of representatives, and request their concurrence.

The latter bill was laid on the table.

Bills from the house of representatives of the following titles, to-wit:

An act to amend an act reducing into one the several acts for apprehending and securing runaways; an act for the benefit of Jonathan Bozarth, and an act to amend an act for appropriating the vacant lands in this commonwealth, were severally read a second time, the two former ordered to be read a third time, and the latter was laid on the table.

The rule being dispensed with, the first bill was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Ward inform the house of representatives thereof.

The senate received from the governor by the secretary of state, a message in writing, covering a communication from the governor of Virginia.

A message from the house of representatives by Mr. Stevenson:

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act to amend an act entitled an act to ascertain and run the division line between the counties of Woodford and Franklin, in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time, and the rule being dispensed with, it was read a second and third time.

*Resolved*, That the said bill do pass, and that Mr. Ward inform the house of representatives thereof.

A message from the house of representatives by Mr. Fletcher:

*Mr. Speaker*,

The house of representatives have passed a bill from the senate, entitled “an act for the benefit of the heirs of Robert Coleman and Moses Sharpe, dec’d.”

And then he withdrew.



*Ordered*, That Mr. White be excused from serving on the committee appointed to confer with the proprietors of the Fayette Hospital, and that Mr. Owens be appointed in his stead.

And then the senate adjourned.

TUESDAY, NOVEMBER 21, 1820.

The senate assembled.

The speaker laid before the senate a memorial from Micajah Harrison, clerk of Montgomery county, praying that an examination of part of his official conduct, (formerly before the legislature,) may be re-examined.

Which was read and referred to the committee for courts of justice.

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker*,

The house of representatives have passed bills from the senate of the following titles, to-wit :

An act for the benefit of the heirs and representatives of Robert Hindman, dec'd.

An act to repeal in part an act concerning county levies and certain officers' fees, passed February 8, 1815.

An act concerning the duties of the register of the land office.

An act for the benefit of Jincy Dodds.

An act for the benefit of Eli Marvell.

An act for the benefit of Ann Edins and Mary Folden.

An act for the benefit of Catharine Wilkinson.

An act authorising a change of venue in the case of Wm. Chamberlaine.

An act providing for the appointment of commissioners to confer with commissioners from Virginia, to fix the point where the road leading from Mountsterling to the Virginia line shall cross it.

An act for the benefit of Philemon Waters.

An act granting a divorce to Elizabeth Western.

And they have passed bills of the following titles, to-wit :

An act for the benefit of the seminary in Whitley county.

An act for the benefit of the heirs of Joseph Barnett deceased.

An act authorising the trustees of Elizabethtown to perform certain duties.

An act for the benefit of the widow and heirs of John Spurlock, dec'd.

An act for the benefit of the heirs of Peter Grow.

An act for the benefit of Samuel Teer.

An act to amend an act entitled an act to provide for the sale of a part of the public ground in Georgetown.

An act to amend an act entitled an act to incorporate the Union circulating and Fredericksburg social library companies.

An act for the benefit of the heirs of Fortunatus Dale.

An act to incorporate the directors of the Leesburg library company.

And an act to alter the time of holding the circuit court in Nicholas county, in which they request the concurrence of the senate.

And then he withdrew.

Mr. Pope from the select committee to whom was referred, a bill to form a new judicial district, and to regulate certain judicial districts, reported the same with an amendment.

Which was concurred in.

The question being taken on re-engrossing the bill and reading it again, and it was resolved in the negative.

And so the said bill was rejected.

A message from the house of representatives by Mr. Cockerill:

*Mr. Speaker,*

The house of representatives have passed bills of the following titles, to-wit:

An act for the relief of Taylor Noel.

An act for the relief of Debe Ginnous.

And an act for the benefit of the heirs of Elijah Broadus, dec'd. in which they request the concurrence of the senate.

And then he withdrew.

The senate received from the governor by Mr. Anderson, a message in writing, containing certain military nominations.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Jones in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Jones reported, that the committee had according to order, resumed the consideration of a bill from the house

of representatives, entitled an act to establish the bank of the commonwealth of Kentucky, and had gone through the same without amendment.

Mr. Pope moved to amend the bill by adding thereto the following section, to-wit :

*Be it further enacted*, That if at any time from and after the first day of January, 1823, the holders of the notes of said bank, shall present the same for payment ; if payment thereof shall be refused by said corporation, the notes so presented, shall bear an interest at the rate of three per centum per annum until payment shall be made. And the cashiers of the mother bank and the branches, shall endorse upon the notes when presented for payment ; and the interest shall be calculated from the time of such presentation and demand, till paid.

And the question being taken thereon, it was resolved in the negative—Yeas 18, Nays 19.

The yeas and nays being required thereon, by messrs. Pope and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Clay, Crutcher, Eve, Ewing, Faulkner, Flournoy, Ford, Harrison, Jones, Lackey, Marshall, M'Lean, Pickett, Pope, Southgate, White and Williams.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Dollerhide, Given, Gorin, Hickman, Mountjoy, Owens, Perrin, Roper, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, Wood and Worthington.

Mr. Harrison then moved to amend the bill by adding thereto, the following section, to-wit :

*Be it further enacted*, That no taxes shall be levied on the citizens of this commonwealth at any future period, to pay off, and discharge any of the notes issued by this institution, on any account whatever.

And the question being taken thereon, it was resolved in the negative—Yeas 13, Nays 24.

The yeas and nays being required thereon, by messrs. Harrison and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Clay, Crutcher, Ewing, Faulkner, Flournoy, Ford, Harrison, Jones, M'Lean, Pope, Roper and Southgate.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Dollerhide, Eve, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, White, Williams, Wood and Worthington.

The 35th section was then read as follows, to-wit :

§ 35. That the notes of the present bank of Kentucky, shall be receivable in payment of all debts due the bank hereby established. And the revenue of this commonwealth unappropriated at the close of the present session of the general assembly ; also, the revenue hereafter collected, which may remain in the treasury unappropriated, annually, shall constitute a part of the capital stock of said institution, and shall be paid over to the cashier of the bank by the treasurer, subject to such appropriations as may be made from time to time by law.

Mr. White moved to amend the bill by striking out said section, and inserting in lieu thereof, the following :

§ 35. That the notes of the present bank of Kentucky, shall be receivable in payment of all debts due the bank hereby established. And the revenue of this commonwealth unappropriated at the close of the present session of the general assembly ; also, the revenue hereafter collected which may remain in the treasury unappropriated annually, shall be deposited on behalf of the state by the treasurer in the bank hereby established. And the treasurer is hereby directed upon his making any such deposit, to take the cashier's receipt therefor. And the treasurer shall, from time, to time, check upon the said deposit for any sum or sums, not exceeding his deposits, to discharge any appropriations made by law. And the checks thus drawn by the treasurer, shall be paid by the cashier to the bearer of any such check when presented. And the legislature may, from time, to time, appropriate and vest any part of the surplus revenues of the state in the principal stock of said bank.

And the question being taken thereon, it was resolved in the negative—Yeas 18, Nays 19.

The yeas and nays being required thereon, by messrs. White and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Bowmar, Clay, Crutcher, Eve, Ewing, Faulkner, Flournoy, Ford, Jones, Marshall, M'Lean, Pickett, Pope, Roper, Ward, White and Williams.

Those who voted in the negative are—messrs. Barbee, Briscoe, Dollerhide, Given, Gorin, Harrison, Hickman, Lackey, Mountjoy, Owens, Perrin, Slaughter, Smith, Southgate, Throckmorton, Turner, Weir, Wood and Worthington.

Mr. Pope then moved to amend the bill by adding thereto, the following section, to-wit :



*Be it further enacted,* That if at any time, from and after the first day of January, in the year 1824, the holders of the notes of said bank, shall present the same for payment, if payment thereof shall be refused by said corporation, the notes so presented, shall bear an interest at the rate of six per centum per annum until payment shall be made. And the cashiers of the mother bank and the branches shall endorse upon the notes when presented for payment, and the interest shall be calculated from the time of such presentation and demand, till paid.

And the question being taken thereon, it was resolved in the negative—Yeas 18, Nays 19.

The yeas and nays being required thereon, by messrs. Pope and Roper, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Clay, Crutcher, Eve, Ewing, Faulkner, Flournoy, Ford, Harrison, Jones, Lackey, Marshall, M'Lean, Pickett, Pope, Roper, Southgate and White.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Dollerhide, Given, Gorin, Hickman, Mountjoy, Owens, Perrin, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, Williams, Wood and Worthington.

Mr. Bowmar then moved to amend the bill by striking out the word "Harrodsburg" from the first section, and insert in lieu thereof, the word "Frankfort." A division of the question was called for.

And the question being taken on striking out, it was resolved in the affirmative—Yeas 19, Nays 18.

The yeas and nays being required thereon by messrs. Marshall and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Clay, Ewing, Faulkner, Flournoy, Ford, Hickman, Jones, Lackey, Marshall, Mountjoy, Perrin, Pickett, Roper, Southgate, Throckmorton, Ward, White and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Briscoe, Crutcher, Dollerhide, Eve, Given, Gorin, Harrison, M'Lean, Owens, Pope, Slaughter, Smith, Turner, Weir, Wood and Worthington.

The question was then taken on filling up the blank with the word "Frankfort," and it was resolved in the affirmative—Yeas 24, Nays 18.

The yeas and nays being required thereon by messrs. Marshall and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Clay, Eve, Ewing, Faulkner, Flournoy, Ford, Hickman, Jones, Lackey, Marshall, Mountjoy, Perrin, Pickett, Roper, Slaughter, Smith, Southgate, Throckmorton, Ward, White and Williams.

Those who voted in the negative are—messrs. Briscoe, Crutcher, Dellerhide, Given, Gorin, Harrison, M'Lean, Owens, Pope, Turner, Weir, Wood and Worthington.

The 31st section of the bill was then read as follows, to-wit :

§ 31. The president and directors of the principal bank, shall prescribe the form of the notes to be executed by the persons borrowing money of said bank, or the branches thereof, and whenever a loan may be made to any person or persons, the person whose name is first subscribed to the note of hand, shall have the right to control the amount loaned, by his check or otherwise; and the notes so executed, may be put in suit by the said bank, at any time they may think proper, after they become due; and all such notes of hand, shall be debts of superior dignity, and shall be paid first by executors and administrators.

And Mr. Flournoy moved to amend the section by adding thereto, the words "next after the funeral expences and claims of wards."

And the question being taken thereon, it was resolved in the negative—Yeas 15, Nays 21.

The yeas and nays being required thereon by messrs. Flournoy and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Clay, Crutcher, Faulkner, Flournoy, Ford, Harrison, Lackey, Marshall, Pickett, Pope, Roper, Southgate, Ward and Williams.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Dellerhide, Eve, Ewing, Given, Gorin, Hickman, Jones, Mountjoy, Owens, Perrin, Slaughter, Smith, Throckmorton, Turner, Weir, White, Wood and Worthington.

And then the senate adjourned.

WEDNESDAY, NOVEMBER, 22, 1820.

The senate assembled.

Mr. Given presented the petition of sundry citizens of Caldwell county, residing east of the Tennessee river, praying that the petition of the citizens of said county, residing west of said river, for the erection of a new county out of the latter portion of said county, may be granted.

Which was read and referred to the committee of propositions and grievances.

Mr. White from the joint committee appointed to examine and report the state of the penitentiary, made the following report, to-wit :

The joint committee appointed to examine and report the state of the penitentiary institution, have according to order, performed that service, and beg leave to submit the following as the result of their inquiries.

The number of convicts in the penitentiary on the first day of November, 1820, was seventy-one ; who are employed in the general, in the following mechanic arts, to-wit :

In the nail cutting factories,	7
In making wrought nails,	4
In other blacksmith's work,	4
In manufacturing chairs,	4
In shoe-making,	11
In harness-making,	1
In stone cutting,	34
In cooking and washing including invalids,	6

Total, 71

Amounting in the whole to seventy-one as above stated ; all apparently in good health, and in the general in good condition, sufficiently well clad and dieted, except as to the latter.

Your committee would recommend that the addition of good, sound, wholesome vegetable diet, should be added, when it can be purchased on reasonable terms. No opinion is hazarded upon the condition of the buildings by this committee, as that part of the subject has been referred to another committee, who have already reported thereon.

Your committee represent that there are raw materials on hand belonging to the institution of various kinds to the amount of \$2,917 93 to-wit :

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Manufactured articles in the possession of the agent not disposed of, consisting of various articles, as follows, viz.

Amount of shoes,	\$1,108 00
Do. of drawing chains,	322 37
Do. Iron articles other than nails and drawing chains,	1,352 62
Do. of nails of all kinds,	11,299 67
Do. of chains,	974 25
Do. Stone work of all kinds,	3,672 84

Total amount,	\$18,659 75
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Schedules of the raw materials and manufactured articles on hand, will be presented to the general assembly, in a specific shape for inspection.

Your committee are of opinion that there is a disproportionate quantity of stone work on hand, and would advise that less of that fabric should be manufactured in future, unless the demand for that article should increase. We are of opinion that a part of the convicts might be more beneficially employed in the business of manufacturing tobacco, spinning wheels, wheel carriages of the common sort, and in carrying on the coopering business, each to such an extent, and upon such a scale, as the keeper and agent in their sound discretion may deem expedient and proper.

The current accounts of the agent with the keeper, previous to, and since the first day of October, 1819, which have not been heretofore specially reported, together with the amount of receipts on sales and debts collected and deposited in the treasury to the credit of the agent, stand thus:

Manufactures on hand the 1st Oct. 1819,	\$22,287 70
Ditto received of keeper penitentiary from the 1st Oct. 1819, to the 30th Oct. 1820.	23,285 84
	<hr/> \$45,573 54
Sales of manufactures from the 1st Oct. 1819, to the 30th Oct. 1820,	26,814 72
Leaving a balance of manufactures on hand on the 30th Oct. 1820, of	18,658 82
Amount of receipts on collection of debts and articles sold from the 1st Oct. 1819, to the 30th Oct. 1820	21,316 45
Costs received,	550 04
Interest do.	149 68
	<hr/> \$22,016 17



Amount of deposits in the treasury from the 1st Oct. 1819, to 30th Oct. 1820, is	21,236 03
Costs paid on suits,	780 14
	<hr/>
	22,016 17

The receipts on collections of debts, and cash received on sales, are thus balanced by the deposits made in the treasury by the agent, since the 1st of Oct. 1819.

The whole debts due the institution upon bonds, note, accounts or otherwise, amount nominally, to the sum of

42,775 70

Add to this, manufactures on hand as aforesaid,

18,658 82

Also, the amount of raw materials as before stated,

2,917 93

Total nominal worth of the institution on the 30th October, 1820, debts due therefrom excepted, is

64,552 45

Balance due the state for monies advanced to the benefit of the Penitentiary, as per auditor's report 10th Oct. 1820,

21,956 80

Balance due in favor institution,

\$42,596 65

Your committee report that the books and papers of the agent and keeper, are all in good order, in well bound books and neat files, labelled in clerical order. But they are sorry to say that a great many of the debts due the institution, as relates to their collection, are in a desperate and alarming situation. Few of the claims due are bonded, and some of the unliquidated accounts have been standing almost from the commencement of the institution. Many of her debtors are in a state of insolvency; many others have absconded to parts unknown; and your committee are of opinion, that but little more than one half of the nominal debt due, if that, will ever be collected; certainly not, if greater exertions are not used to effect that purpose. An expose of the debts in detail will be laid before the legislature for inspection, which will more fully evince the probable results here anticipated.

It is stated by the keeper that the probable expenditures that will be required for the purchase of additional raw materials for the year 1821, will be \$ 9,000; if so, the state is playing a losing game, unless collections can be facilitated by acts of the legislature, and a display of the active exertions of the officers of the penitentiary.

Your committee are of opinion, that the state would be benefited if sales were made for cash in hand, should the loss be twenty-five or thirty per cent. upon the value of the articles. At all events the agent in addition to instructions to facilitate the collection of debts, should be restricted from vending the manufactured articles on credit, except upon bonds executed therefor, well secured by mortgage or personal security. The following resolution is submitted :

*Resolved*, That a law ought to pass to enable the agent of the penitentiary to secure and facilitate the collection of debts due the penitentiary, and to regulate the manner of sales of manufactured articles hereafter to take place. All of which is most respectfully submitted.

From the senate,

DAVID WHITE, Jr.  
WM. P. ROPER,  
SAML. M'LEAN,  
THOS. DOLLERHIDE.

From the house of representatives,

WILLIAM GRUNDY,  
N. P. PORTER,  
THOS. STEVENSON,  
WM. CALDWELL,  
D. P. BEDINGER,  
JOHN H. RUDD,  
B. CHISHOLM,  
JAMES C. CRAVENS.

A message from the house of representatives by Mr. Calhoun :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act for the formation of a new county out of the counties of Ohio, Breckinridge and Grayson, in which they request the concurrence of the senate.

And then he withdrew.

The consideration of the bill from the house of representatives, entitled an act to establish the bank of the commonwealth of Kentucky, was resumed.

The 15th section of the bill was read as follows, to-wit :

§ 15. That no loan to any individual shall exceed the sum of 1000 dollars, except to the directors and the president of the principal bank, and any branch thereof, who may severally borrow from said bank, any sum not exceeding 2000 dollars, upon the same terms and conditions as other individuals.

Mr. White moved to amend the section by inserting after the word "thereof," the following words, "or to the true and bona fide exporter, who shall borrow money for the purpose of exporting the live stock or the produce of the country out of the state."

And the question being taken thereon, it was resolved in the negative—Yeas 15, Nays 22.

The yeas and nays being required thereon by messrs. Faulkner and Ewing, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Bowmar, Crutcher, Eve, Ewing, Harrison, Hickman, Jones, Lackey, Marshall, M'Lean, Pickett, Southgate, White, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Briscoe, Clay, Dollerhide, Faulkner, Flournoy, Ford, Given, Gorin, Mountjoy, Owens, Perrin, Pope, Roper, Slaughter, Smith, Throckmorton, Turner, Ward, Weir and Wood.

The 21st section was read as follows, to-wit:

§ 21. That the president and directors of said bank, shall establish one branch thereof and no more, in each judicial district in this commonwealth, existing at the end of the present session of the general assembly, except the judicial district in which the principal bank may be located, for the purpose of discount and deposit, and shall annually appoint a president and eight directors, and other officers of such branches, and fix their salaries and prescribe their duties, and shall allot to the said branches a due portion of the active capital of said bank, according to the eleventh section of this act.

Mr. Faulkner moved to amend the said section by striking out the word "judicial," wherever it occurs in the section, and inserting in lieu thereof, the word "congressional."

And the question being taken thereon, it was resolved in the negative—Yeas 17, Nays 20.

The yeas and nays being required thereon, by messrs. Faulkner and Turner, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Bowmar, Clay, Dollerhide, Eve, Ewing, Faulkner, Flournoy, Ford, Harrison, Jones, Pickett, Throckmorton, Turner, White, Williams and Worthington.

Those who voted in the negative are—messrs. Barbee, Briscoe, Crutcher, Given, Gorin, Hickman, Lackey, Marshall, M'Lean, Mountjoy, Owens, Perrin, Pope, Ro-

per, Slaughter, Smith, Southgate, Ward, Weir, and Wood

The 8th section was then read as follows, to-wit :

§ 8. That the said bank shall receive money on deposit, and pay away the same to order, free of expense, discount bills of exchange, current money, and notes with two or more good securities, who shall be jointly and severally bound, at a rate of interest not exceeding one per cent. for sixty days ; and shall have power to make loans to citizens of the state in the nature of discounts on real estate, secured by mortgage, with power to make sale of said estate in default of payment : *Provided*, that the sum so loaned, shall never exceed one half of the real, unincumbered value of the property so mortgaged : *Provided further*, that the loans shall never be for a longer period than one year, nor draw a greater interest than at the rate of six per cent. per annum, which shall always be payable in advance : *And provided further*, that no loan shall in any case be renewed, unless the interest for such re-loan, shall be paid in advance : *And provided further*, that the directors for the time being, shall not call in more than one tenth of each loan, at the time the same shall become due, without giving sixty days' notice thereof ; and all and every person or persons, failing to make payment, shall be deprived in future of credit in said bank, and shall be liable to suit immediately for the amount due.

Mr. Flournoy moved to amend the second proviso of said section by striking out the word "six," and inserting in lieu thereof, the word "three." Mr. Ewing called for a division of the question.

And the question was taken on striking out, the word "six," and it was resolved in the negative—Yeas 10, Nays 27.

The yeas and nays being required thereon by messrs. Flournoy and Turner, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Bowmar, Ewing, Flournoy, Marshall, M'Lean, Pope, Southgate, Williams and Worthington.

Those who voted in the negative are—messrs. Barbee, Briscoe, Clay, Crutcher, Dollerhide, Eve, Faulkner, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Mountjoy, Owens, Perrin, Pickett, Roper, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, White and Wood.

The 20th section was then read as follows, to-wit :

§ 20. That all mortgages taken for loans of money under this act, shall be considered as being of record from the date



*thereof, and shall have priority of any mortgages or conveyances of the same property not previously recorded in the county in which the land lies.* And the person or persons, applying for a loan of money, shall produce a certificate from the clerk of said county in which the land lies, that there is no conveyance or incumbrance upon said land in his office; and shall moreover, make oath before the cashier of said bank or branches, before he shall be entitled to receive the money or amount of the discount which he may obtain on the mortgage of said land, that there is no incumbrance or better claim in law or equity, that he knows of or believes, on the said land: *Provided however*, that the mortgage so taken by the bank, shall be recorded within thirty days after the execution thereof, in the county in which the land so mortgaged lies.

Mr. Pope moved to amend the section by striking out the words in italics.

And the question being taken thereon, it was resolved in the negative—Yeas 15, Nays 22.

The yeas and nays being required thereon, by messrs. Crutcher and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Crutcher, Eve, Ewing, Faulkner, Flournoy, Ford, Marshall, M'Lean, Pickett, Pope, Roper, Southgate, White and Williams.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Clay, Dollerhide, Given, Gorin, Harrison, Hickman, Jones, Lackey, Mountjoy, Owens, Perrin, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, Wood and Worthington.

The 25th section was then read as follows, to-wit:

§ 25. That in all cases where the amount loaned shall be in arrear or due, the president and directors of said bank, shall be, and they are hereby authorised and empowered, (if they shall think fit,) to advertise the mortgaged property for sixty days, in one or more of the newspapers printed in *this state*, and make sale of so much of the mortgaged premises, to the highest bidder for cash, or notes of said bank, as will pay the amount due; and the president and directors are fully authorized and empowered to make conveyances for the same to the purchaser thereof, or buy the same in, if they shall think fit, for the benefit of the institution.

Mr. Flournoy moved to amend the section by striking out the words in italics, and inserting in lieu thereof the words

"the judicial district where such loan was obtained, if there be one, if not in the paper of the public printer."

And the question being taken thereon, it was resolved in the negative—Yeas 15, Nays 21.

The yeas and nays being required thereon, by messrs. Flournoy and Williams, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Barbee, Briscoe, Clay, Crutcher, Ewing, Faulkner, Flournoy, Ford, Harrison, Jones, M'Lean, Pope, Southgate, Williams and Worthington.

Those who voted in the negative are—messrs. Bowmar, Dollerhide, Eve, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Roper, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, White and Wood.

Mr. Gorin then called for the previous question, and it was decided in the affirmative.

The question was then taken on reading the bill a third time, and it was resolved in the affirmative—Yeas 22, Nays 15.

The yeas and nays being required thereon by messrs. M'Lean and Ward, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Dollerhide, Ewing, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Anderson, Clay, Crutcher, Eve, Faulkner, Flournoy, Ford, Harrison, Jones, M'Lean, Pickett, Pope, Roper, Southgate and White.

The bill was then read a third time as amended.

And the question being taken on the passage thereof as amended, it was resolved in the affirmative—Yeas 22, Nays 15.

The yeas and nays being required thereon, by messrs. Ward and Ewing, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Dollerhide, Ewing, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Anderson, Clay, Crutcher, Eve, Faulkner, Flournoy, Ford, Harrison, Jones, M'Lean, Pickett, Pope, Roper, Southgate and White.

*Resolved*, That the said bill as amended do pass.

*Ordered*, That Mr. Given inform the house of representatives thereof, and request their concurrence in the amendment.

And then the senate adjourned.

THURSDAY, NOVEMBER 25, 1826.

The senate assembled.

Mr. Throckmorton presented the petition of Harriet Radford, widow of John Radford, dec'd. praying that a law may pass authorising a sale of the real estate of the dec'd.

Mr. Barbee moved to reconsider the vote rejecting a bill for the formation of a new county, out of the counties of Jefferson, Shelby and Henry, which was done, and the bill together with the petition of sundry citizens of said county, committed to the committee of propositions and grievances.

The resolution reported on yesterday by the joint committee to examine the penitentiary, was taken up and concurred in.

*Ordered*, That the committee on the part of the senate, prepare and bring in a bill pursuant to said resolution.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act to authorise the county court of Bracken to open a road through the out lots of Augusta, in which they request the concurrence of the senate.

And then he withdrew.

Mr Barbee from the joint committee of enrolments, reported, that they had examined enrolled bills of the following titles, to-wit :

1st. An act concerning the duties of the register of the land office.

2d. An act for the benefit of Catharine Wilkinson.

3d. An act for the benefit of Ann Edins and Mary Follen.

4th. An act for the benefit of Jincy Dodds.

5th. An act for the benefit of the heirs of Robert Coleman and Moses Sharpe, dec'd.

6th. An act authorising a change of venue in the case of Wm. Chamberlaine.

7th. An act for the benefit of Philemon Waters.

8th. An act providing for the appointment of commissioners to confer with commissioners from Virginia, to fix the point where the road leading from Mountsterling to the Virginia line shall cross it.

9th. An act for the benefit of Eli Mavel.

10th. An act to repeal in part an act concerning county levies and certain officers' fees, passed February 8, 1815.

11th. An act granting a divorce to Elizabeth Western.

12th. An act for the benefit of the heirs of Robert Hindman, dec'd.

And had found the same truly enroled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enroled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

The following bills were reported from the several committees appointed to prepare and bring in the same to-wit :

By Mr. Perrin—a bill to amend the act for opening a road from Georgetown to Augusta.

By Mr. Pope—a bill for the benefit of Benjamin Bridges, jr.

By Mr. Mountjoy—a bill to establish and endow seminaries of learning in the counties of Grant and Perry.

And by Mr. Faulkner—a bill for the benefit of poor widows.

Which were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, the 1st, 2d, and 3d bills were read a second time, and the 1st and 2d ordered to be engrossed and read a third time, and the 3d was committed to messrs. Ewing, Lackey and Ward.

A message from the house of representatives by Mr. Blakey :

*Mr. Speaker,*

The house of representatives have passed a bill from the



senate, entitled an act for the benefit of James Hays, Sr. and Thomas Hendricks, Sr.

And then he withdrew.

Mr. Ward from the select committee to whom was referred a bill for the relief of the sheriff of Greenup county, reported the same with an amendment, which was concurred in, was further amended, and committed to messrs. White, Ward and Lackey.

The message of the governor covering a communication from the governor of Virginia, was taken up and committed to the committee for courts of justice.

Bills from the house of representatives of the following titles, to-wit :

An act to amend an act for appropriating the vacant lands in this commonwealth ; and an act for the relief of the heirs at law of John Walker, dec'd. were severally taken up, and the latter amended, and severally read a third time.

The question being taken on the passage of the former bill, it was resolved in the affirmative—Yeas 15, Nays 11.

The yeas and nays being required thereon, by messrs. Perrin and Lackey, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Eve, Ewing, Given, Gorin, Lackey, Marshall, McLean, Mountjoy, Owens, Turner, Ward, Weir and Wood.

Those who voted in the negative are—messrs. Bowmar, Crutcher, Faulkner, Ford, Harrison, Perrin, Pickett, Roper, Smith, Southgate and White.

*Resolved*, That the said bills do pass, the latter as amended, and that Mr. Owens do inform the house of representatives thereof, and request their concurrence in the amendments.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Gorin—a bill to establish a seminary of learning in the county of Monroe.

On the motion of Mr. Turner—a bill to amend the act appropriating fines and forfeitures for the purpose of promoting education.

And on the motion of Mr. Harrison—a bill to amend the law concerning the permanent revenue.

Messrs. Gorin, Turner and Pickett, were appointed a committee to prepare and bring in the first ; messrs. Turner, Roper and Owens, the second, and messrs. Harrison, Southgate and Gorin, the third.

Mr. Crutcher read and laid on the table a resolution for the amendment of the joint rules.

On motion, leave of absence is granted Mr. Clay from the service of the senate, until Monday next.

A resolution fixing a day for the election of a president and directors to the bank of Kentucky, also a treasurer and public printer, was taken up, read and adopted as follows, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That they will on Thursday the 30th instant, proceed to the election of a president and six directors of the bank of Kentucky ; also, a treasurer and public printer.

*Ordered,* That Mr. Ewing inform the house of representatives thereof, and request their concurrence.

The nominations made on the 21st inst. were taken up and read as follows, to-wit :

*Gentlemen of the Senate,*

I beg leave to withdraw my message to you of the 18th inst. in which certain gentlemen are nominated for your advice and consent, to be commissioned in the 16th regiment ; and nominate for your advice and consent, the following persons to be commissioned in said regiment, to-wit :

Charles Cabaness, lieut. col. of the said regiment, in the place of Robert Ball, resigned.

Pleasant Sandage, major of the same regiment, in the place of Robert Spilman, resigned.

JOHN ADAIR.

November, 21st, 1820.

*Resolved,* That the senate advise and consent to said appointments.

*Ordered,* That Mr. Barbee inform the governor thereof.

And then the senate adjourned.

FRIDAY, NOVEMBER 24, 1820.

The senate assembled.

Mr. White presented the petition of James Johnson, praying that he may be relieved from a tax levied by the trustees of the town of Lexington, on a manufacturing establishment owned by him.

Which was read and referred to the committee for courts of justice.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration, a petition to them referred, and have come to the following resolution thereupon, to-wit :

*Resolved*, That the petition of sundry citizens of Gallatin county, praying to be added to the county of Owen, is reasonable.

Which was twice read and concurred in.

*Ordered*, That the committee prepare and bring in a bill pursuant thereto.

Mr. Slaughter from the joint committee appointed to examine and report the state of the treasurer's office, made the following report to-wit :

Samuel South, Treasurer in account with the state of Kentucky.

## RECEIPTS.

For money received on head-right lands,	\$4,836 21
Do. Vacant lands,	5,814 29
Do. Manufacturing of salt,	444 97
Do. From sheriffs,	82,157 64
Do. Non-residents' lands,	1,981 96
Do. Clerks,	11,940 14
Do. Secretary of state,	1 90
Do. Fines,	711 66
Do. Tax on bank stock,	10,147 63
Do. Penitentiary.	19,181 45
Dividends on bank stock of Kentucky, owned by the state for the six months ending 31st January, 1820,	12,540 87
Do. Ending 31st July, 1820,	17,709 14
Do. Miscellaneous receipts,	56 28
Internal navigation,	1,190 84
Total amount received in 1820,	\$175,714 98
To amount in the treasury on the 10th November, 1819,	53,984 52
Total amount,	\$229,699 50

This statement exhibits the amount of moneys paid for warrants drawn on the treasury from the 10th Nov. 1819 to the 10th of Oct. 1820, inclusive.

For bank stock subscribed,	20,500 00
Drawback on vacant land,	33 11
Penitentiary for loans, &c.	20,721 65
Sergeant of the court of appeals,	545 62
Public communications,	1,361 49
Legislature December session, 1819,	27,939 49
Money refunded,	105 50
Public roads,	94 50
Public printing,	2,945 70
Lexington academy,	5,000 00
State boundary line,	805 00
Judiciary department,	20,212 15
Executive department,	7,566 06
Executive offices,	1,942 33
Negroes executed,	1,200 00
Littell's Laws of Kentucky,	340 50
Criminal prosecutions,	13,401 00
Locaties,	11,143 26
Commissioners' of tax,	6,312 20
Purchasers of non-residents' lands,	706 14
Sheriffs comparing polls,	931 95
Clerks of circuit and county courts,	7,264 69
Jailers,	3,950 09
Contingent expences,	2,825 95
Pensioners,	60 00
Military expenditures,	987 65
Surveyors for transcribing entries,	326 15
Aggregate amount of receipts, including money in the treasury on the 10th of Nov. 1819,	229,699 50
Amount of warrants paid same time,	159,009 18

Cash in the treasury on the 10th of Oct. 1820, \$70,690 32

The joint committee of the senate and house of representatives have examined the treasurer's office, and compared the vouchers with the entries, and find them correctly entered and filed, with the books in good order, and the balance struck for the same time. A statement is herewith reported, and which is the result of our examination.

All of which is herewith respectfully submitted.

From the senate,

THOS. S. SLAUGHTER,  
JAMES DAVIDSON,  
JOHN FAULKNER,



From the house of representatives,

THOS. C. HOWARD,  
R. F. SLAUGHTER,  
A. S. FARROW,  
S. BARNETT,  
JAMES RUFFIN,  
JESSE NOLAND.

A message from the house of representatives by Mr. Payne :

*Mr. Speaker,*

The house of representatives have adopted a resolution requesting the president of the United States to negotiate with the British government, relative to fugitive slaves belonging to citizens of the United States, who are now resident in the British North American dominions; in which they request the concurrence of the senate.

And then he withdrew.

A message from the house of representatives by Mr. Slaughter :

*Mr. Speaker,*

The house of representatives disagree to the amendment made by the senate, to a bill entitled an act to establish the bank of the commonwealth of Kentucky.

And then he withdrew.

The amendment was again taken up and read.

Mr. Wood moved that the senate recede from their amendment.

And the question being taken thereon, it was resolved in the negative—Yeas 15, Nays 22.

The yeas and nays being required thereon, by messrs. Jones and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Briscoe, Davidson, Dellerhide, Given, Gorin, Harrison, McLean, Owens, Pope, Slaughter, Turner, Weir, Wood and Worthington.

Those who voted in the negative are—messrs. Anderson, Bowmar, Crutcher, Eve, Ewing, Faulkner, Flournoy, Ford, Hickman, Jones, Lackey, Marshall, Mountjoy, Perrin, Pickett, Roper, Smith, Southgate, Throckmorton, Ward, White and Williams.

*Resolved,* That the senate insist on their amendment.

*Ordered,* That the clerk inform the house of representatives thereof.

Mr. Ewing from the committee of propositions and grievances, to whom was referred a bill for the formation of a

new county out of the counties of Jefferson, Henry and Shelby, reported the same with an amendment.

Which was twice read and concurred in.

The first section of the bill was read as follows to-wit :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That from and after the \_\_\_\_\_ day of \_\_\_\_\_ next, all that part of the counties of Jefferson, Shelby and Henry, contained in the following boundary to-wit : Beginning at the mouth of Pond creek, on the Ohio river opposite the Diamond Island, thence south sixty degrees east to the Shelby county line, thence a straight line to the corner of Col. John Calloway's and David Harris', thence with their lines north, 20 degrees west, to the Henry county line, and with the same west to the intersection of the said John Calloway's and John Berry's line, thence a straight line to strike the road leading from New-Castle to Westport, nine miles when reduced to a straight line from the former place, thence to Marshall's upper line, *of his old place crosses the little Kentucky, thence down the same to the Gallatin line, thence with said line to the Ohio,* thence down the Ohio to the beginning, shall be one distinct county, called and known by the name of \_\_\_\_\_

Mr. White moved to amend the section by striking out the words in italics, and inserting in lieu thereof, the words "thence in a direct line to the mouth of Patton's creek."

And the question being taken thereon, it was resolved in the negative—Yeas 12, Nays 21.

The yeas and nays being required thereon by messrs. White and Pope, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Crutcher, Dollerhide, Faulkner, Ford, Hickman, M'Lean, Mountjoy, Owens, Pope, Smith, Turner, and White.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Davidson, Eve, Ewing, Flournoy, Given, Gorin, Harrison, Jones, Marshall, Perrin, Pickett, Roper, Slaughter, Throckmorton, Ward, Weir and Wood.

The question was then taken on engrossing and reading the bill a third time, and it was resolved in the affirmative—Yeas 23, Nays 11.

The yeas and nays being required thereon by messrs. White and Pope, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Davidson, Eve, Ewing, Flournoy, Gorin, Harrison, Hickman, Jones, Marshall,

Owens, Perrin, Roper, Slaughter, Smith, Southgate, Throckmorton, Ward, Weir and Wood.

Those who voted in the negative are—messrs. Crutcher, Dollerhide, Faulkner, Ford, Given, M'Lean, Mountjoy, Pickett, Pope, Turner and White.

Mr. Ewing from the select committee to whom was referred a bill to establish and endow a seminary of learning in the county of Grant and Perry, reported the same without amendment, and the bill was laid on the table.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Gorin—a bill to establish and regulate a seminary of learning in the county of Monroe.

And by Mr. White—a bill providing for the collection of the debts due the penitentiary, and for other purposes.

Which were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, the former bill was read a second time, and committed to messrs. Mountjoy, Gorin and Lackey.

The senate received information by Mr. Anderson, that the governor did on yesterday, approve and sign enrolled bills which originated in the senate, of the following titles, to-wit :

An act providing for the appointment of commissioners to confer with commissioners from Virginia, to fix the point where the road leading from Mountsterling to the Virginia line shall cross it.

An act for the benefit of Philemon Waters.

An act authorising a change of venue in the case of Wm. Chamberlaine.

An act concerning the duties of the register of the land office.

An act for the benefit of Jincy Dodds.

An act for the benefit of Catharine Wilkinson.

An act for the benefit of Ann Edins and Mary Follen.

An act for the benefit of the heirs of Robert Coleman and Moses Sharpe, dec'd.

An act for the benefit of Eli Mavel.

An act to repeal in part an act concerning county levies and certain officers' fees, passed February 8, 1815.

An act granting a divorce to Elizabeth Western.

An act for the benefit of the heirs and representatives of Robert Hindman, dec'd.

*Ordered*, That the clerk inform the house of representatives thereof.

An engrossed bill for the benefit of Benjamin Bridges, was read a third time.

*Resolved*, That the said bill do pass, and that the title be "an act for the benefit of Benjamin Bridges."

*Ordered*, That Mr. Pope do carry said bill to the house of representatives, and request their concurrence.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Davidson—a bill for the benefit of the judge of the 12th judicial district.

And on the motion of Mr. Flournoy—a bill concerning masters and apprentices.

Messrs. Davidson, Briscoe and Eve, were appointed a committee to prepare and bring in the former, and messrs. Flournoy, Perrin and Marshall, the latter.

And then the senate adjourned.

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SATURDAY, NOVEMBER 25, 1820.

The senate assembled.

A message from the house of representatives by Mr. Slaughter:

*Mr. Speaker*,

The house of representatives recede from their disagreement to an amendment made by the senate, to a bill entitled an act to establish the bank of the commonwealth of Kentucky.

And then he withdrew.

Mr. Barbee from the joint committee of enrolments, reported that they had examined sundry enrolled bills of the following titles, to-wit:

An act to provide for the protection of public buildings.

An act for the relief of London Ferril and Rhoda his wife.

An act to amend an act entitled an act to ascertain and run the division line between the counties of Woodford and Franklin.

An act to amend an act reducing into one, the several acts for apprehending and securing runaways.

An act supplemental to an act entitled an act for the benefit of the Grand Lodge of Kentucky.

An act to amend an act for appropriating the vacant lands in this commonwealth.

An act for the benefit of Thomas Griffin.



And had found the same truly enrolled.

The following bills were reported from the several committees appointed to prepare and bring in the same to-wit :

By Mr. Roper, from the committee for courts of justice—

1. a bill for the benefit of the heirs of John Radford.

And 2—a bill for the benefit of the sheriff of Caldwell county.

By Mr. Ewing, from the committee of propositions and grievances—3. a bill to add a part of Gallatin to Owen county.

By Mr. Marshall—4. a bill regulating suits on promissory notes and bills of exchange.

By Mr. Davidson—5. a bill for the benefit of the judge of the 12th judicial district.

And leave was given Mr. White, to report—6. a bill to encourage and protect domestic manufactures, and for other purposes.

Which were severally read the first time and ordered to be read a second time.

The rule being dispensed with, the 1st, 4th and 5th bills, were read a second time and ordered to be engrossed and read a third time.

The 1st and 5th, having been engrossed, were read a third time.

*Resolved*, That the said bills do pass, and that the titles be respectively, “an act for the benefit of the heirs of John Radford, and an act for the benefit of the judge of the 12th judicial district.”

*Ordered*, That Mr. Throckmorton do carry the former, and Mr. Davidson the latter, to the house of representatives, and request their concurrence.

*Ordered*, That the public printers forthwith print 150 copies of the sixth bill for the use of the members of the legislature.

The senate received from the governor by Mr. Anderson, a message in writing containing certain nominations in the civil department.

Mr. Dollerhide from the committee of Religion, made the following report, to-wit :

The committee of religion have according to order, had under consideration, a petition to them referred, and have come to the following resolution thereupon, to-wit :

*Resolved*, That the petition of Hannah Stoker, praying a divorce from her husband Wm. Stoker, be rejected.

The resolution was twice read and amended by striking out the words "be rejected," and inserting in lieu thereof, the words "is reasonable," was concurred in.

*Ordered.* That said committee prepare and bring in a bill pursuant thereto.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration, a petition to them referred, and have come to the following resolution thereupon, to-wit :

*Resolved,* That the petition of sundry citizens of Caldwell county, praying a division of said county, and the formation of a new county out of that part of said county, which lies west of the Tennessee river, *be rejected.*

Which was twice read and concurred in.

Mr. Lackey from the committee to whom was referred a bill to establish and regulate a seminary of learning in the county of Monroe ; and Mr. White from the committee to whom was referred a bill for the relief of the sheriff of Greenup county, severally reported the same with amendments, which were concurred in with amendments to the former, and the bills ordered to be engrossed and read a third time.

*Ordered,* That messrs. Clay, Jones and Briscoe, be excused from serving on the committee to whom was referred so much of the governor's message as relates to lunatics, and that messrs. Ewing, M'Lean and Slaughter, be added thereto.

Mr. Owens from the joint committee appointed to examine and report the state of the auditor's office, made the following report, to-wit :

The joint committee of the senate and house of representatives appointed to examine the auditor's office, have performed that service : They have with great care and labor, examined the evidence and vouchers in support of each charge against the commonwealth in the period of eleven months from the 10th of November, 1819, to, and including the 10th day of October, 1820 : they find all charges supported by legal vouchers and evidence ; they only discovered a small mistake of fifty cents in settling the account of the clerk of the county and circuit courts of Allen county ; they find that the receipts correspond with the books of the treasury ; they compared the general account as stated in the auditor's book with his

report made to the legislature on the 21st day of October last, and find a perfect correspondence between the books and said report : they therefore deem it unnecessary to make a detailed statement, as it would be but a repetition of the auditor's report.

Your committee are highly pleased with the manner in which that office is kept, and the correct and neat manner in which the business is done.

Your committee examined the books containing the lists of non-residents' land and other papers relative to that branch of the department ; they find that the manner in which many of those entries were first made, being by letters, &c. that much difficulty and trouble devolves on the auditor in consequence thereof : they also, find that the said books are much worn, and many entries mutilated, and the margins filled with notes ; in many cases there is no room in the margin for any other notes, though it will be necessary that others should hereafter be made.

Your committee, therefore, beg leave most respectfully to recommend the passage of a law authorising the auditor to procure suitable books and transcribe all the entries of non-residents, and make complete alphabets to the same, as also, a reasonable compensation therefor ; for which purpose they beg leave to introduce a bill.

From the senate,

WM. OWENS,  
HUMPHREY JONES,  
JAMES FORD,  
THOMSON WARD,  
SAMUEL M'LEAN.

From the house of representatives,

CHARLES H. ALLEN,  
JOHN L. HICKMAN,  
EDWARDS KING,  
LEWIS WILCOXSON,  
V. PREWITT,  
MICHAEL W. HALL,  
RICH<sup>d</sup>. I. MUNFORD,  
EDM<sup>d</sup>. WATKINS,  
LEONARD H. LYNE,  
JAMES PATTERSON,

And leave was given said committee to report a bill pursuant thereto.

Which was read the first time and ordered to be read a second time.

*Ordered*, That Mr. Jones have leave of absence from the service of the senate until Wednesday next, and Mr. Mountjoy until Tuesday next.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Given—a bill to establish election precincts in Livingston and Caldwell counties, south of the Tennessee river.

And on the motion of Mr. M'Lean—a bill for the divorce of Elizabeth Slatter, of Nelson county.

Messrs. Given, Weir and Worthington, were appointed a committee to prepare and bring in the former, and messrs. M'Lean, Roper and Harrison, the latter.

A bill from the house of representatives entitled an act to authorise the county court of Bracken, to open a road thro' the out lots of Augusta, was read the first time.

And the rule being dispensed with, it was read a second time, and with certain documents, referred to the committee of propositions and grievances.

And then the senate adjourned.

#### MONDAY, NOVEMBER 27, 1820.

A quorum of the senate not having assembled, adjourned until to-morrow morning 10 o'clock.

#### TUESDAY, NOVEMBER 28, 1820.

The senate assembled.

Mr. Davidson presented the petition of Henry Yocum of Lincoln county, praying a donation of the state price on a small tract of land in said county on which he resides.

Which was read and referred to messrs. Davidson, Wood and Roper, with leave to report by bill or otherwise.

Mr. Williams from the joint committee of enrolments, reported that they had examined an enrolled bill entitled an act to establish the bank of the commonwealth of Kentucky.

And had found the same truly enrolled

A message from the house of representatives by Mr. Lancaster :



*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker,*

The speaker of the house of representatives having signed an enrolled bill entitled an act to establish the bank of the commonwealth of Kentucky, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed the said bills the former being the same reported on Saturday by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Williams from said committee, reported that they had performed that duty.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Lackey—a bill to establish an election precinct in Floyd county.

On the motion of Mr. White—a bill concerning the publication of certain advertisements.

On the motion of Mr. Eve—a bill providing for the collection of the revenue for Harlan county for the year 1819.

On the motion of Mr. Turner—a bill for the benefit of the heirs of Johnson Ellis, dec'd.

And on the motion of Mr. Davidson—a bill for the divorce of Cynthia Carson.

Messrs. Lackey, Williams and Ward, were appointed a committee to prepare and bring in the first ; messrs. White, Owens and Southgate, the second ; messrs. Eve, Wood and Ward, the third ; messrs. Turner, Gorin and Southgate, the fourth, and messrs. Davidson, Eve and Harrison, the fifth.

And after some time Mr. Lackey from the first committee, reported a bill which was read the first time.

And the rule being dispensed with, it was read a second time and ordered to be engrossed and read a third time.

Mr. Owens presented the petition of Elijah King, praying that a law may be passed authorising him to locate land for the benefit of salt works.

Which was read and referred to messrs. Owens, Dollerhide and Briscoe, with leave to report by bill or otherwise.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Roper, from the committee for courts of justice—1. a bill for the benefit of James and Richard M. Johnson.

By Mr. Dollerhide, from the committee of religion—2. a bill for the divorce of Hannah Stoker.

By Mr. Turner—3. a bill to amend an act appropriating fines and forfeitures for the purpose of promoting education.

And by Mr. Owens—4. a bill for the benefit of Elijah King.

Which were severally read the first time and ordered to be read a second time.

The rule being dispensed with, the 1st and 3d bills were read a second time and ordered to be engrossed and read a third time.

And the first bill having been engrossed was read a third time.

*Resolved*, That the said bill do pass, and that the title be "an act for the benefit of James and Richard M. Johnson."

*Ordered*, That Mr. Williams do carry said bill to the house of representatives and request their concurrence.

The senate received from the governor by Mr. Anderson, a message in writing, containing certain military nominations.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker.*

The house of representatives have passed a bill entitled an act to legalize the proceedings of the Nelson county court, and for other purposes ; in which they request the concurrence of the senate.

And then he withdrew.

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker,*

The house of representatives have received official information that the governor did on the 25th inst. approve and sign enrolled bills which originated in the house of representatives of the following titles, to-wit :

An act to change the place of holding elections in the precinct in Campbell county.

An act for the relief of Sandford Keen.

An act to amend an act entitled an act establishing the Prestonsburg academy in the county of Floyd, approved January 13th, 1820.

They have passed bills from the senate of the following titles, to-wit :

An act for the benefit of the judge of the 12th judicial district ; an act to regulate the town of Somerset ; an act allowing an additional number of constable's districts in certain counties, and an act to establish and regulate the town of Princeton.

And they have passed bills of the following titles, to-wit :

An act for the relief of Joshua Humphreys, adm'r. of James Hughes, dec'd. ; an act authorising the appointment of constables in certain counties ; an act to amend an act to establish a turnpike road from Louisville to Portland and Shippingport ; an act to add an additional number of trustees to the Warren seminary ; an act for the benefit of the heirs of Henry Talbot, dec'd. ; and an act authorising the sale of part of the public ground in Morgantown ; in which they request the concurrence of the senate.

And then he withdrew.

The resolution proposing an amendment to the joint rules, was taken up, read and adopted as follows, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the following joint rule of both branches of the legislature, be adopted in lieu of the 6th rule, to-wit :

“All bills and resolutions passing from one house to the other, shall be considered as first in the orders of the day on each day until disposed of.”

*Ordered,* That Mr. Crutcher inform the house of representatives thereof, and request their concurrence.

Engrossed bills, to wit :—a bill to amend an act entitled an act concerning a house of public worship in the town of Frankfort ; a bill to add a part of Fleming to Nicholas county ; a bill to amend the act for opening a road from Georgetown to Augusta ; a bill to suspend the power of the governor and treasurer to subscribe on the part of the state, for shares in the bank of Kentucky ; a bill to establish and regulate a seminary of learning in the county of Monroe ; a bill regulating suits on promissory notes and bills of exchange, and a bill for the relief of the sheriff of Greenup county, were severally read a third time.

*Resolved,* That the six former bills do pass, and that the titles be respectively “an act to amend an act entitled an act concerning a house of public worship in the town of Frank-

fort ; an act to add a part of Fleming to Nicholas county ; an act to amend the act for opening a road from Georgetown to Augusta ; an act to suspend the power vested in the governor and treasurer to subscribe for stock in the bank of Kentucky ; an act to establish seminaries of learning in the counties of Monroe, Grant, Todd and Trigg ; and an act regulating suits on promissory notes and bills of exchange."

*Ordered*, That the clerk do carry said bills to the house of representatives and request their concurrence.

The latter bill was committed to messrs. Ward, Lackey and Roper, and after some time Mr. Ward reported the same with an amendment, which was concurred in, and the bill ordered to be re-engrossed and read again.

And the bill having been re-engrossed was read again.

*Resolved*, That said bill do pass, and that the title be "an act for the benefit of the sheriffs of Greenup and Lewis counties."

*Ordered*, That Mr. Ward do carry said bill to the house of representatives and request their concurrence.

A message from the house of representatives by Mr. T. P. Moore :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act to erect election precincts in the counties of Mercer, Lincoln, Muhlenburg and Bath, in which they request the concurrence of the senate.

And then he withdrew.

Bills from the house of representatives of the following titles, to-wit :

1. An act for the benefit of Jonathan Bozarth ; 2. an act for the benefit of the widow and heirs of John Spurlock, dec'd. ; 3. an act for the relief of Debe Ginnons ; 4. an act for the benefit of the heirs of Fortunatus Dale ; 5. an act for the benefit of the heirs of Elijah Broadus, dec'd. ; 6. an act for the relief of Taylor Noel ; and 7. an act to alter the time of holding the circuit court in Nicholas county, were severally read, the first a third time, and the residue the first time, and ordered to be read a second time.

The rule being dispensed with, the 2d, 3d and 4th bills were read a second time, and the fourth amended at the clerk's table, and the 2d a third time.

*Resolved*, That the 1st and 2d bills do pass, and that the clerk inform the house of representatives thereof.

The third was committed to the committee of Religion and the fourth laid on the table until to-morrow.



A bill providing for the collection of the debts due the penitentiary, and for other purposes ; a bill for the relief of the sheriff of Caldwell county, and a bill authorising the auditor of public accounts to procure certain books and transcribe certain memorandums, were severally read a second time ; the former was committed to messrs. Marshall, Owens and White, and the two latter ordered to be engrossed and read a third time.

A message from the house of representatives by Mr. Emerson :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the benefit of Cornelius Phillips ; in which they request the concurrence of the senate.

And then he withdrew.

The senate received from the governor by Mr. Breckinridge, a message in writing containing a nomination.

The nominations made on the 25th inst. were taken up and read as follows, to-wit :

*Gentlemen of the Senate,*

Since the last session of the general assembly, sundry vacancies have taken place in the civil department, which were filled by appointments to expire with the present session.

I therefore nominate for your advice and consent, the following gentlemen, to be commissioned during good behaviour, to-wit :

John M'Mickin, jr. notary public in and for the county of Nelson.

Porter Clay, auditor of public accounts for the commonwealth of Kentucky, in the place of John Madison, deceased.

Willis Collins, notary public in and for the county of Clarke, in the place of Jonathan T. Berry, resigned.

Martin W. Ewing, notary public in and for the county of Washington.

JOHN ADAIR.

November, 25th, 1820.

*Resolved,* That the senate advise and consent to said appointments.

*Ordered,* That messrs. Crutcher and Harrison, inform the governor thereof.

And then the senate adjourned.

WEDNESDAY, NOVEMBER, 29, 1820.

The senate assembled.

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker,*

The house of representatives have passed bills of the following titles, to-wit :

1. An act to amend an act entitled an act to reduce into one the several acts, concerning wills, the distribution of intestates' estates, and the duty of executors and administrators, approved, February 4, 1797 ; 2. an act to incorporate the Louisville bridge company ; 3. An act to authorize the service of process by coroners in certain cases ; 4. an act for the benefit of the executors, widow and heirs of Christian Hahn ; 5. an act for the benefit of the heirs of David C. Irvine, dec'd. ; 6. an act altering the line between Knox and Harlan counties ; and 7. an act to amend an act entitled an act directing certain surveyors to transcribe certain entry books, approved, February 12, 1820 ; in which they request the concurrence of the senate.

And then he withdrew.

Which bills were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, the second and sixth bills were severally read a second time, and the sixth a third time.

*Resolved*, That the said bill do pass, and that the clerk inform the house of representatives thereof.

The second bill was committed to messrs. Pope, Marshall and Weir.

On the motion of Mr. Crutcher, leave was given to bring in a bill authorising the register to perform certain duties, and messrs. Crutcher, Pope and Southgate, were appointed a committee to prepare and bring it in.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Davidson—1. a bill for the divorce of Cynthia Carson.

By Mr. Crutcher—2. a bill authorising the register to perform certain duties.

And leave was given Mr. Owens to report—3. a bill to amend an act entitled an act to amend an act for the solemnization of matrimony.

By Mr. White—4. a bill authorising certain advertisements to be published in the paper of the public printer.

And by Mr. Eve—5. a bill to regulate the collection of the revenue of Harlan county for the year 1819.

Which were severally read the first time and ordered to be read a second time.

The rule being dispensed with, the 1st, 2d and 3d bills, were severally read a second time and ordered to be engrossed and read a third time.

The 1st and 3d bills having been engrossed, were read a third time.

*Resolved*, That the said bills do pass, and that the titles be respectively, “an act for the divorce of Cynthia Carson, and an act to amend an act entitled an act to amend an act for the solemnization of matrimony.”

*Ordered*, That the clerk do carry said bills to the house of representatives and request their concurrence.

Mr. Marshall from the select committee to whom was referred a bill providing for the collection of debts due the penitentiary, and for other purposes, reported the same with amendments.

Which were concurred in.

And the bill ordered to be engrossed and read a third time.

Engrossed bills, to-wit :—a bill for the benefit of John M’Kinney, late deputy sheriff of Jessamine county ; a bill for the benefit of the sheriff of Caldwell county ; a bill to establish an election precinct in Floyd county ; and a bill to amend an act appropriating fines and forfeitures for the purposes of promoting education, were severally read a third time.

*Resolved*, That the said bills do pass, and that the titles be respectively, “an act for the benefit of John M’Kinney, late deputy sheriff of Jessamine county ; an act for the benefit of the sheriff of Caldwell county ; an act to establish an election precinct in Floyd county ; and an act to amend an act appropriating fines and forfeitures for the purposes of promoting education.”

*Ordered*, That the clerk do carry said bills to the house of representatives, and request their concurrence.

A bill from the house of representatives entitled an act for the benefit of the heirs of Fortunatus Dale, was taken up and read a third time as amended.

*Resolved*, That the said bill as amended do pass, and that the clerk inform the house of representatives thereof and request their concurrence in the amendment.

A bill to add a part of Gallatin to Owen county, a bill for the benefit of Elijah King, a bill to encourage and protect domestic manufactures, and for other purposes ; a bill for the benefit of poor widows ; and a bill for the divorce of Hannah Stoker, were severally read a second time, the first and second were ordered to be engrossed and read a third time, the third and fourth were committed to a committee of the whole house on the state of the commonwealth, and the fifth was rejected.

The senate received from the governor by the secretary of state a message in writing containing certain military nominations.

Bills from the house of representatives of the following titles, to-wit :

1. An act for the benefit of the heirs of Elijah Broadus, dec'd. ; 2. an act for the relief of Taylor Noel ; and 3. an act to alter the time of holding the circuit court in Nicholas county.

Were severally read a second time, the first was ordered to be read a third time, the second was committed to messrs. Faulkner, Eve and Wood, and the third to messrs. Southgate, Perrin and Throckmorton.

Bills from the house of representatives of the following titles, to-wit :

1. An act for the relief of Joshua Humphreys, administrator of James Hughes, dec'd. ; 2. an act authorising the appointment of constables in certain counties ; 3. an act to amend an act to establish a turnpike road from Louisville to Portland and Shippingport ; 4. an act to add an additional number of trustees to the Warren seminary ; 5. an act to erect election precincts in the counties of Mercer, Lincoln, Muhlenburg and Bath ; 6. an act to amend an act entitled an act to provide for the sale of a part of the public ground in Georgetown ; 7. an act to incorporate the directors of the Leesburg library company ; 8. an act for the benefit of the seminary in Whitley county ; 9. an act for the benefit of the heirs of Joseph Barnett, dec'd. ; 10. an act for the benefit of Cornelius Phillips ; 11. an act for the benefit of the heirs of Peter Grow ; 12. an act authorising the trustees of Elizabethtown to perform certain duties ; 13. an act to legalize the proceedings of the Nelson county court, and for other purposes ; 14. an act for the benefit of the heirs of Henry Talbot dec'd. ; 15. an act authorising the sale of part of the public ground in Morgantown ; 16. an act to amend an act entitled an act to incorporate the Union circulating



and Fredericksburg social library company ; and 17. an act for the benefit of Samuel Teer.

Were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, fourteen thereof were read a second time and the seven first a third time.

*Resolved*, That the said seven bills do pass, and that the clerk inform the house of representatives thereof.

The 8th, 9th, 10th and 11th bills were committed to the committee for courts of justice ; and the 12th to messrs. Crutcher, Marshall and Lackey.

And after some time Mr. Crutcher from the latter committee, reported the bill with amendments.

Which were concurred in and the bill ordered to be read a third time.

A resolution from the house of representatives requesting the President of the United States to negotiate with the British government, relative to fugitive slaves belonging to citizens of the United States, who are now resident in the British North American dominions, was taken up, read and concurred in, as follows, to-wit :

IN THE HOUSE OF REPRESENTATIVES, Nov. 23, 1826.

WHEREAS it is represented to the present general assembly, that many negroes and persons of color, the property of citizens of this commonwealth, have escaped from their lawful owners into the province of Canada, and are there protected from recaption by the subjects of his majesty the King of Great Britain, residing in said province of Canada : And whereas, the practice of concealing and countenancing slaves that thus escape from their lawful owners, tends greatly to the injury of the people of this state, and if persevered in, may lead to unhappy consequences between the subjects of his said majesty's government and the citizens of the United States :

*Resolved, therefore*, That it is the opinion and desire of the present general assembly, that the government of the United States invite the attention of the British Government to this subject, and if practicable procure arrangements to be made on the part of that government for the restoration of such fugitive slaves as shall have heretofore escaped or may hereafter escape from their lawful owners (being citizens of the United States) into any of his said Majesty's North American Dominions. And the governor is requested to transmit to the Executive of the United States, and to each of the sena-

tors and representatives in congress from this state, copies of the foregoing resolution.

Extract, &c.

Att.

R. S. TODD, c. h. r.

*Ordered*, That the clerk inform the house of representatives thereof.

The nominations made on the 27th inst. were taken up, and read as follows, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following persons to be commissioned during good behaviour, to-wit :

John Shacklett, col. of the 103d regiment, lately formed.

Blancit Shacklett, lieutenant colonel of the same regiment.

David Carr, major of the same regiment.

Wm. Morgan, lieut. col. of the 3d regiment, in the place of John Shacklett, if promoted.

The time for which the present sheriff of Henderson county was commissioned, being about to expire, and the county court of that county having failed to recommend his successor according to the constitution : I, therefore, nominate for your advice and consent, Samuel Hopkins, sheriff of the county of Henderson, he being the senior magistrate in said county.

JOHN ADAIR.

November 27th, 1820.

*Resolved*, That the senate advise and consent to said appointments.

*Ordered*, That messrs. Crutcher and Pope inform the governor thereof.

And then the senate adjourned.

THURSDAY, NOVEMBER 30, 1820.

The senate assembled.

Mr. Bowmar from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration, a bill from the house of representatives, entitled " an act to authorize the county

court of Bracken to open a road through the out lots of Augusta," and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said bill be rejected.

Which was twice read and concurred in.

And the question being taken on reading the said bill a third time, it was resolved in the negative.

And so the said bill was rejected.

Mr. Southgate moved to re-consider the vote of yesterday on the passage of an engrossed bill to amend the act appropriating fines and forfeitures for the purpose of promoting education.

Which was done, and the bill committed to messrs. Southgate, Pope, Roper, White and Slaughter.

Mr. Given presented the petition of sundry citizens of Caldwell county, praying that the terms of their circuit court may be extended.

Mr. Owens presented sundry documents in relation to the formation of a new county out of the counties of Adair, Wayne and Cumberland.

Which were severally read and referred, the former to the select committee raised to bring in a bill on the same subject, and the latter to the committee of propositions and grievances.

Mr. Roper from the committee for courts of justice to whom was referred a bill from the house of representatives, entitled an act for the benefit of the heirs of Joseph Barnett, dec'd. reported the same without amendment ; it was then amended at the clerk's table, and read a third time.

*Resolved*, That the said bill as amended do pass, and that Mr. Ewing inform the house of representatives thereof, and request their concurrence in the amendment.

Mr. Dollerhide from the committee of Religion, made the following report, to-wit :

The committee of religion have according to order, had under consideration, a bill from the house of representatives, entitled "an act for the relief of Debe Ginnons," to them referred, and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said bill ought not to pass.

The resolution and bill were committed to messrs. Williams, Turner and Ewing.

Mr. Ewing moved to re-consider the vote rejecting a bill to form two new judicial districts.

Which was done, and the bill re-committed to the same committee to whom it was last referred, and messrs. Gorin and Barbee, were added thereto.

Mr. Ewing read and laid on the table a resolution fixing on a day for the election of a president and directors to the bank of the commonwealth of Kentucky.

An engrossed bill for the relief of certain settlers was taken up, amended, and the question being taken on re-engrossing the same and reading it again, it was resolved in the negative.

And so the said bill was rejected.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Turner—a bill for the benefit of the heirs of Johnson Ellis, dec'd.

By Mr. M'Lean—a bill for the divorce of Elizabeth Slater of Nelson county.

By Mr. Marshall—a bill to amend the act incorporating the Frankfort and Shelbyville turnpike road company.

Which were severally read the first time.

And the rule being dispensed with, they were read a second time.

The first was committed to the committee for courts of justice, the second to messrs. Faulkner, M'Lean & Harrison, and the third amended at the clerk's table and ordered to be engrossed and read a third time.

Mr. Faulkner from the select committee to whom was referred, a bill from the house of representatives entitled an act for the relief of Taylor Noel, reported the same with amendments.

Which were concurred in.

And the bill committed to messrs. Owens, Faulkner and Marshall.

A bill providing for the collection of the revenue of Harlan county, for the year 1819, and a bill authorising certain advertisements to be published in the paper of the public printer.

Were read a second time, the former was ordered to be engrossed and read a third time, and the latter laid on the table.

A message from the house of representatives by Mr. Anderson :



*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to establish and regulate the town of Elkton in the county of Todd ; in which they request the concurrence of the senate.

And then he withdrew.

A message from the house of representatives by Mr. Mosley :

*Mr. Speaker,*

The house of representatives have passed a bill from the senate, entitled an act to alter and extend the term of the Montgomery circuit court, and to alter the time of holding the Bath circuit court, with amendments.

And they have passed a bill entitled an act to amend an act entitled an act reserving certain property from execution, approved, February 4, 1815 ; in which amendments and bill they request the concurrence of the senate.

And then he withdrew.

An engrossed bill forming a new county out of parts of the counties of Henry, Jefferson and Shelby, was read a third time, and the blanks therein filled as follows, to-wit :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That from and after the 15th day of February next, all that part of the counties of Jefferson, Shelby and Henry, contained in the following boundary, to-wit : Beginning at the mouth of Pond creek on the Ohio river, opposite the Diamond Island ; thence south, sixty degrees east, to the Shelby county line ; thence a straight line to the corner of Col. John Calloway's and David Harris' ; thence with their lines north, twenty degrees west, to the Henry county line, and with the same west to the intersection of the said John Calloway's and John Berry's line ; thence a straight line to strike the road leading from New-Castle to Westport, nine miles, when reduced to a straight line, from the former place ; thence to where Marshall's upper line of his old place crosses the little Kentucky ; thence down the same to the Gallatin line ; thence with said line to the Ohio ; thence down the Ohio to the beginning, shall be one distinct county, called and known by the name of Crittenden.

§ 2. The said county of Crittenden shall be entitled to eleven justices of the peace, who shall be appointed and commissioned as in other cases ; who shall meet at the house of George Varble in said county, on the fourth Monday of February next, and after taking the necessary oaths of office,

and qualifying their sheriff agreeably to the constitution of the United States and of this state, as required by law, they shall proceed to elect and qualify a clerk, to whose permanent appointment, it shall be necessary for all the justices in commission for said county, to concur; but if said majority cannot be obtained in favor of any one, then said court shall appoint a clerk pro tempore.

§ 3. The county court for said county, shall hold their first term on the fourth Monday in February next, and on each and every month thereafter, except the months in which the circuit court for said county shall be holden; and the circuit courts for said county shall commence on the fourth Mondays of May, November and January.

§ 4. The circuit and county courts and justices of the peace, in Jefferson, Shelby and Henry counties, shall have jurisdiction over all matters instituted prior to the commencement of this act. And it shall be lawful for all sheriffs, collectors and constables, in said Jefferson, Shelby and Henry counties, to collect all fines and moneys, and to execute all writs, executions and other process, as the law directs, which were put into their hands previous to the commencement of this act, and shall account for, and return the same, as if this act had not passed.

§ 5. The county court of said county of Crittenden, shall appoint commissioners of the tax in said county, for the year 1821, who shall perform the duties, and be governed by the laws regulating the commissioners of the tax in this state; and the clerk and other officers of said county, shall in like manner, perform their duties in relation thereto. And said county court shall also, as soon as practicable, after the place for the permanent seat of justice for said county, shall have been fixed upon by commissioners as herein after mentioned, proceed to cause the erection of all necessary public buildings thereupon for said county of Crittenden; and may lay off and establish a town there, and do and perform, every other matter in relation thereto, that county courts are by law authorised to do in this state.

§ 6. The place for the permanent seat of justice for said county of Crittenden, shall be fixed on by five commissioners to-wit: Isham Henderson and James Bartlett of Henry county, Willis Field, Thomas Stevenson and Nicholas Lafon, of Woodford county; who shall meet at the house of George Varble, in said county, on the first Monday of March next, and thence proceed to select and point out an eligible place for the permanent seat of justice for said county. And said

commissioners are hereby enjoined to pay a just regard to the most convenient and eligible site for that purpose, and make report thereof to the county court of said county. But should said commissioners or a majority of them, fail to meet on the day herein mentioned for that purpose, they are hereby authorised and requested, still to meet at said place herein appointed, and proceed to perform all the duties herein required of them as soon as practicable thereafter, a majority or any three of whom are hereby authorised to act and perform all the duties herein required: *Provided*, not more attend for that purpose, and each of said commissioners attending on the performance of their said duties herein mentioned, shall receive for their services three dollars per day, while necessarily absent from home, attending on said business, to be levied and paid out of the first county levy, laid for said county.

§ 7. The surveyors of the counties of Jefferson, Shelby and Henry, are authorised and required, to meet at the beginning corner of said county on the 16th day of February, thence to proceed to lay off, run and plainly mark all the lines thereof; for which they shall severally receive three dollars per day while they are necessarily engaged therein, besides a reasonable allowance for the employment of chain carriers and markers, to be allowed and paid out of the first levy to be laid for said county.

And the question being taken on the passage thereof, it was resolved in the negative—Yeas 12, Nays 22.

The yeas and nays being required thereon by messrs. Pope and White, were as follows to-wit:

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Ewing, Harrison, Perrin, Slaughter, Throckmorton, Ward, Weir and Wood.

Those who voted in the negative are—messrs. Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Ford, Given, Gorin, Jones, Marshall, M'Lean, Mountjoy, Owens, Pickett, Pope, Roper, Smith, Southgate, Turner, White and Williams.

And then the senate adjourned.

FRIDAY, DECEMBER 1, 1820.

The senate assembled.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit:

The committee of propositions and grievances have according to order, had under consideration, sundry petitions to them referred, and have come to the following resolutions thereupon, to-wit :

*Resolved*, That the petition of sundry citizens of Adair, Cumberland and Wayne counties, praying the formation of a new county out of part of each of said counties, *be rejected*.

*Resolved*, That the petition of sundry citizens of Nicholas county, praying to be added to Harrison county, *be rejected*.

Which was twice read and concurred in.

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker*,

The house of representatives have received official information, that the governor did, on the 28th inst. approve and sign sundry enrolled bills which originated in that house, of the following titles, to-wit :

An act to provide for the protection of public buildings.

An act to amend an act entitled an act to ascertain and run the division line between the counties of Woodford and Franklin.

An act for the relief of London Ferril and Rhoda his wife.

An act to amend an act for appropriating the vacant lands in this commonwealth.

An act supplemental to an act entitled an act for the benefit of the Grand Lodge of Kentucky.

An act for the benefit of Thomas Griffin.

An act to amend an act reducing into one, the several acts for apprehending and securing runaways.

And on the 30th inst. an enrolled bill entitled an act to establish the bank of the commonwealth of Kentucky.

They concur in the amendments proposed by the senate to bills of the following titles, to-wit :

An act for the benefit of the heirs of Fortunatus Dale, and an act for the benefit of the heirs of Joseph Barnett, deceased.

They have passed bills from the senate of the following titles, to-wit :

An act declaring Trade water navigable ; an act for the establishment of a road from Frankfort to the Ohio river opposite the town of Neville ; an act to amend an act entitled an act authorising certain justices of the county courts to



grant injunctions, writs of ne exeat and habeas corpus, approved, February 4, 1818.

With amendments to the two latter.

They concur in a resolution from the senate, fixing on a day for the election of a president and directors to the bank of Kentucky ; also, a treasurer and public printer, with an amendment.

And they have passed bills of the following titles, to-wit :

An act for the benefit of James Freeman ; an act for the benefit of the widow and heirs of William Lewis, dec'd. ; an act to add a part of Allen county to the county of Simpson ; an act for the benefit of Alexander M'Cloy ; an act to authorize the establishing of private passways, and an act for the divorce of sundry persons ; in which amendments and bills, they request the concurrence of the senate.

And then he withdrew.

A message from the house of representatives by Mr. Garrard :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the divorce of Betsey Craig, Polly Stewart and Martha Dunlavy ; in which they request the concurrence of the senate.

And then he withdrew.

The senate received from the governor by the secretary of state, a message in writing, containing certain military nominations.

The amendments proposed by the house of representatives, to a resolution fixing on a day for the election of a president and directors to the bank of Kentucky ; also, a treasurer and public printer, and to bills of the following titles, viz.

An act to alter and extend the term of the Montgomery circuit court, and to alter the time of holding the Bath circuit court ; an act for the establishment of a road from Frankfort to the Ohio river, opposite the town of Neville ; and an act to amend an act entitled an act authorising certain justices of the county courts, to grant injunctions, writs of ne exeat and habeas corpus, approved February 4, 1818.

Were severally taken up, read, the two former concurred in, and the two latter disagreed to.

*Ordered,* That the clerk inform the house of representatives thereof.

Mr. Owens from the select committee to whom was referred, a bill from the house of representatives, entitled an

act for the relief of Taylor Noel, reported the same with amendments.

Which were twice read, and when applied would make the proviso in the bill read thus: "*Provided*, that such grant shall not prejudice the rights of any other persons," who may now have any legal claim to said land, or any part thereof, either by entry, survey or patent.

And the question being taken thereon, it was resolved in the affirmative—Yeas 20, Nays 14.

The yeas and nays being required thereon, by messrs. Owens and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Barbee, Briscoe, Clay, Dollerhide, Ford, Gorin, Harrison, Jones, Lackey, Marshall, Mountjoy, Owens, Pickett, Smith, Southgate, White, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Crutcher, Davidson, Eve, Ewing, Faulkner, Given, M'Lean, Perrin, Pope, Roper, Slaughter, Throckmorton, Turner and Ward.

The bill was then further amended at the clerk's table, and read a third time.

*Resolved*, That the said bill as amended do pass, and that the clerk inform the house of representatives thereof and request their concurrence in the amendments.

Mr. Faulkner from the select committee to whom was referred, a bill for the divorce of Elizabeth Slater of Nelson county, reported the same without amendment, which was read as follows, to-wit:

WHEREAS it is represented to the present general assembly, that Elizabeth Slater of Nelson county, has been totally abandoned by her husband, Charles F. Slater, after he had wasted the little property she had at their marriage, and left her and his infant son without the means of support: Wherefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the marriage of the said Elizabeth Slater, with the said Charles F. Slater, shall be, and the same is hereby totally dissolved.

And the question being taken on engrossing and reading the bill a third time, it was resolved in the negative—Yeas 12, Nays 20.

The yeas and nays being required thereon, by messrs. Bowmar and Jones, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Crutcher, Davidson, Ewing, Ford, Given, Gorin, Harrison, McLean, Mountjoy, Ward and Williams.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Clay, Dollerhide, Eve, Faulkner, Jones, Lackey, Marshall, Owens, Pickett, Pope, Roper, Smith, Southgate, Turner, White, Wood and Worthington.

And so the said bill was rejected.

Mr. Barbee from the joint committee of enrolments, reported that they had examined an enrolled bill entitled an act for the benefit of the heirs of Fortunatus Dale.

And had found the same truly enrolled

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Crutcher—a bill more effectually to prevent masters or owners of slaves from suffering them to hire themselves.

And on the motion of Mr. Owens—a bill supplemental to the act to establish the Bank of the Commonwealth of Kentucky.

Messrs. Crutcher, Jones and Roper, were appointed a committee to prepare and bring in the former, and messrs. Owens, Hickman, Marshall, Gorin, Perrin, Slaughter, Barbee, Bowmar, Ward, Turner and Briscoe, the latter.

Engrossed bills, to-wit :—1. a bill adding a part of Gallatin to Owen county ; 2. a bill for the benefit of Elijah King ; 3. a bill authorising the auditor of public accounts to procure certain books, and transcribe certain entries and memorandums ; 4. a bill providing for the collection of debts due the penitentiary, and for other purposes ; 5. a bill authorising the register to perform certain duties ; 6. a bill providing for the collection of the revenue of Harlan county for the year 1819 ; and 7. a bill to amend the act incorporating the Frankfort and Shelbyville turnpike road company, were severally read a third time.

And the question being taken on the passage of the first bill, it was resolved in the affirmative—Yeas 23, Nays 12.

The yeas and nays being required thereon by messrs. Mountjoy and Marshall, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Davidson, Dollerhide, Ewing, Given, Gorin, Harrison, Jones, Lackey, Marshall, McLean, Owens, Perrin, Pickett, Smith, Southgate, Throckmorton, Ward, Weir and Wood.

Those who voted in the negative are—messrs. Clay, Eve, Faulkner, Ford, Mountjoy, Pope, Roper, Slaughter, Turner, White, Williams and Worthington.

*Resolved*, That the six former bills do pass, and that the titles be respectively, “an act adding a part of Gallatin to Owen county; an act for the benefit of Elijah King; an act authorising the auditor of public accounts to procure certain books, and transcribe certain entries and memorandums; an act providing for the collection of debts due the penitentiary, and for other purposes; an act authorising the register to perform certain duties, and an act providing for the collection of the revenue of Harlan county for the year 1819.”

*Ordered*, That the clerk do carry said bills to the house of representatives and request their concurrence.

The seventh bill was committed to messrs. Pope, Marshall and White.

Bills from the house of representatives of the following titles, to-wit:

1. An act authorising the trustees of Elizabethtown to perform certain duties; 2. an act for the benefit of the heirs of Elijah Broadus, dec'd.; 3. an act to legalize the proceedings of the Nelson county court, and for other purposes; 4. an act for the benefit of the heirs of Henry Talbot, dec'd.; 5. an act authorising the sale of part of the public ground in Morgantown; 6. an act to amend an act entitled an act to incorporate the Union circulating, and Fredericksburg social library companies; 7. an act for the benefit of Samuel Teer; 8. an act to amend an act entitled an act directing certain surveyors to transcribe certain entry books, approved, February 12, 1820; 9. an act for the benefit of the heirs of David C. Irvine, dec'd.; and 10. an act for the benefit of the executors, widow and heirs of Christian Hahn.

Were severally read, the 1st, 2d, 3d and 4th, a third time, and the residue a second time.

And the rule being dispensed with, the 5th, 6th, 7th, 8th and 9th, were read a third time.

*Resolved*, That the said bills (except the 2d,) do pass, the first as amended.

*Ordered*, That the clerk inform the house of representatives thereof, and request their concurrence in the amendments.

The second bill was committed to the committee for courts of justice, and the tenth was ordered to be read a third time.

And then the senate adjourned.



SATURDAY, DECEMBER 2, 1826.

The senate assembled.

Mr. Barbee from the joint committee of enrolments, reported that they had examined sundry enrolled bills of the following titles, to-wit:

An act altering the line between Knox and Harlan counties.

An act for the relief of Joshua Humphreys, adm'r. of James Hughes, dec'd.

An act to amend an act entitled an act to provide for the sale of a part of the public ground in Georgetown.

An act to amend an act to establish a turnpike road from Louisville to Portland and Shippingport.

A resolution requesting the President of the United States to negotiate with the British government, relative to fugitive slaves belonging to citizens of the United States, who are now resident in the British North American dominions.

An act for the benefit of the widow and heirs of John Spurlock, dec'd.

An act for the benefit of Jonathan Bozarth.

An act Authorising the appointment of constables in certain counties.

An act to add an additional number of trustees to the Warren seminary.

An act for the benefit of the heirs of Joseph Barnett, dec'd.

An act to incorporate the directors of the Leesburg library company.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster:

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills being the same reported yesterday and to-day, by Mr. Barbee, and they were delivered to the joint committee of enrolments, to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

The speaker laid before the senate a memorial from sundry citizens of Fayette, praying that the mother bank of the Commonwealth, may be located in Lexington, if it should be deemed politic.

Which was read and referred to the committee raised on yesterday for the purpose of preparing a bill supplemental to the act establishing the said bank.

Mr. Roper from the committee for courts of justice, made the following report, to-wit :

The committee for courts of justice, have according to order, had under consideration, sundry bills to them referred, and have come to the following resolutions thereupon, to-wit :

*Resolved*, That the bill from the house of representatives, entitled "an act for the benefit of the heirs of Elizabeth Broadus, dec'd. ought to pass.

*Resolved*, That the bill for the benefit of the heirs of Johnson Ellis, dec'd. ought not to pass.

Which was read, the former resolution was concurred in, and the latter, with the bill, re-committed to said committee.

*Resolved*, That the former bill do pass, and that Mr. Ewing inform the house of representatives thereof.

Mr. Southgate from the select committee to whom was referred, a bill to amend an act appropriating fines and forfeitures for the purposes of promoting education, reported the same with an amendment.

Which was concurred in.

And the bill ordered to be re-engrossed and read again.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to appoint trustees, and regulate the town of Leesburg in Harrison county ; in which they request the concurrence of the senate.

And then he withdrew.

Mr. Harrison from the committee raised for that purpose, reported a bill to amend the law concerning the sales of non-residents' lands for taxes.

Which was read the first time and ordered to be read a second time.

Mr. Pope from the select committee to whom was referred, a bill from the house of representatives, entitled an act to incorporate the Louisville bridge company, and as

engrossed bill to amend the act incorporating the Frankfort and Shelbyville turnpike road company, reported the same with amendments.

Which were severally concurred in.

*Resolved*, That the said bills do pass, the former as amended, and that the title be amended to read, "an act establishing a toll bridge on Beargrass creek in Jefferson county; and that the title of the latter be "an act to amend the acts incorporating the Frankfort and Shelbyville, and Shelbyville and Louisville turnpike road companies."

*Ordered*, That Mr. Pope do carry said bills to the house of representatives and request their concurrence.

The senate took up the following nominations, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, Benjamin Hardin, Attorney General of this commonwealth, in the place of Wm. W. Blair, resigned.

JOHN ADAIR.

November 27th, 1820.

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following gentlemen to be commissioned during good behaviour, to-wit :

James Taylor, major general of the 13th division of Kentucky militia, lately formed.

Joseph Kennedy, brigadier general of the 22d brigade, in the place of James Taylor, if promoted.

Wm. Mountjoy, brigadier general of the 26th brigade, lately formed.

David Perry, col. of the 48th regiment.

Samuel Perry, lieut. col. of the same regiment.

Wm. Cormack, major of the same regiment.

Michael Graves, col. of the 21st regiment, in the place of Wm. Mountjoy, if promoted.

James Brouning, lieut. col. of the same regiment in the place of Michael Graves, if promoted.

John Riddle, major of the same regiment.

Pane B. Humes, col. of the 104th regiment, lately formed.

Cyrus Layton, lieut. col. of the same regiment.

George Norton, major of the same regiment.

JOHN ADAIR.

November, 29th, 1820.

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following persons to be commissioned during good behaviour, viz.

Martin Hardin, lieut. col. of the 68th regiment, in the place of Elijah Creel, promoted.

William Reed, major of the same regiment.

Peter W. Duree, major of the 3d regiment, in the place of Wm. Morgan, promoted.

JOHN ADAIR.

December 1st, 1820.

Mr. Bowmar moved the following resolution, to-wit :

*Resolved by the senate,* That although the honorable Benjamin Hardin is in all respects eminently qualified for the office of attorney general for this commonwealth, and would meet the approbation of this house for said office under different circumstances ; but that gentleman now being a representative in the congress of the United States, is ineligible to the office of attorney general of this state, and his duties in his present station incompatible with those incident to the office for which he is nominated : Wherefore, the senate ought not to advise and consent to his appointment.

And the question being taken on adopting the same, it was resolved in the negative—Yeas 9, Nays 26.

The yeas and nays being required thereon, by messrs. Bowmar and Throckmorton, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Clay, Ford, Gorin, Perrin, Pickett, Throckmorton, Turner and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Briscoe, Crutcher, Davidson, Dollerhide, Ewing, Faulkner, Given, Harrison, Hickman, Jones, Lackey, Marshall, M'Lean, Mountjoy, Owens, Pope, Roper, Slaughter, Smith, Southgate, Ward, Weir, Wood and Worthington.

*Resolved,* That the senate advise and consent to said appointments.

*Ordered,* That messrs. Crutcher and Given inform the governor thereof.

On the motion of Mr. Crutcher, leave was given to bring in a bill to authorise the trustees of the Hardin seminary to sell their donation lands.

And messrs. Crutcher, Anderson and M'Lean, were appointed a committee to prepare and bring it in.



Bills from the house of representatives of the following titles, to-wit :

1. An act for the benefit of the executors, widow and heirs of Christian Hahn ; 2. an act to amend an act entitled an act to reduce into one, the several acts, concerning wills, the distribution of intestates' estates, and the duty of executors and administrators, approved, February 4, 1797 ; 3. an act to authorise the service of process by coroners in certain cases ; 4. an act to establish and regulate the town of Elkton in the county of Todd ; and 5. an act for the formation of a new county out of the counties of Ohio, Breckinridge and Grayson.

Were severally read, the 1st a third time, the 2d and 3d a second time and the 4th and 5th the first time.

And the rule being dispensed with, the 4th and 5th bills, were read a second time and the 4th a third time.

*Resolved*, That the 1st and 4th bills do pass, and that Mr. McLean inform the house of representatives thereof.

The second bill was committed to messrs. Southgate, Repper, Owens, Pickett and Pope.

And the question being taken on reading the third bill a third time, it was resolved in the negative.

And so the said bill was rejected.

*Ordered*, That Mr. Ward inform the house of representatives thereof.

And the fifth bill was committed to the committee of propositions and grievances.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act to authorize the printing and publishing the map of the land west of the Tennessee river ; in which they request the concurrence of the senate.

And then he withdrew.

A bill from the house of representatives entitled an act to amend an act entitled an act reserving certain property from execution, approved, February 4, 1815, was read the first time

And the question being taken on reading said bill a second time, it was resolved in the negative—Yeas 15, Nays 15.

The yeas and nays being required thereon by messrs. Hickman and Crutcher, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Briscoe, Gorin, Hickman, Jones, Lackey, Marshall, Mountjoy, Perrin, Pickett, Pope, Roper, Southgate, Throckmorton and Williams.

Those who voted in the negative are—messrs. Barbee, Clay, Crutcher, Davidson, Dollerhide, Faulkner, Given, Harrison, Owens, Slaughter, Turner, Ward, Weir, Wood and Worthington.

And so the said bill was rejected.

*Ordered.* That Mr. Roper inform the house of representatives thereof.

And then the senate adjourned.

### MONDAY, DECEMBER 4, 1820.

The senate assembled.

The lieut. governor being absent, Mr. Hickman was unanimously called to the chair.

A message from the house of representatives by Mr. Todd, their secretary :

*Mr. Speaker.*

The house of representatives have received official information, that the governor did on the 2d inst. approve and sign sundry enrolled bills which originated in that house, of the following titles, to-wit :

An act altering the line between Knox and Harlan counties.

An act to amend an act to establish a turnpike road from Louisville to Portland and Shippingport.

An act authorising the appointment of constables in certain counties.

An act for the benefit of Jonathan Bozarth.

An act for the benefit of the widow and heirs of John Spurlock, dec'd.

An act to incorporate the directors of the Leesburg library company.

An act to add an additional number of trustees to the Warren seminary.

An act to amend an act entitled an act to provide for the sale of a part of the public ground in Georgetown.

An act for the relief of Joshua Humphreys, adm'r. of James Hughes, dec'd.

An act for the benefit of the heirs of Fortunatus Dale.

An act for the benefit of the heirs of Joseph Barnett, deceased.

A resolution requesting the President of the United States to negotiate with the British government, relative to fugitive slaves belonging to citizens of the United States, who are now residents in the British North American dominions.

They concur in the amendments proposed by the senate to bills of the following titles, to-wit:

An act to incorporate the Louisville bridge company; an act to authorise the trustees of Elizabethtown to perform certain duties; and an act for the benefit of Taylor Noel.

With an amendment to the latter.

They recede from their amendment to a bill entitled an act for the establishment of a road from Frankfort to the Ohio river, opposite the town of Neville.

They insist on their amendments to a bill entitled an act to amend an act entitled an act authorising certain justices of the county courts, to grant injunctions, writs of ne exeat and habeas corpus, approved February 4, 1818.

They disagree to bills from the senate of the following titles, to-wit:

An act for the benefit of James and Richard M. Johnson, and an act to remit certain militia fines.

And they have passed bills of the following titles, to-wit:

An act to establish a turnpike by the way of Williamsburg, Whitley county; an act for the benefit of Elizabeth Sellers, and an act requiring the inhabitants of Prestonsville to work on a particular road; in which amendment and bills they request the concurrence of the senate.

And then he withdrew.

A message from the house of representatives by Mr. Warfield:

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to amend an act entitled an act to amend an act concerning occupying claimants of land; in which they request the concurrence of the senate.

And then he withdrew.

Mr. Roper from the select committee to whom was referred a bill from the house of representatives entitled an act to amend an act entitled an act to reduce into one the several acts concerning wills, the distribution of intestates' estates, and the duty of executors and administrators, approved, February 4, 1797, reported the same with an amendment.

Which was concurred in.

And the bill was further amended at the clerk's table, and read a third time.

*Resolved*, That the said bill as amended, do pass, and that the title be amended to read "an act to amend the act to reduce into one, the several acts, concerning wills, &c. and to repeal in part, and amend the act entitled an act to amend the several acts regulating conveyances."

*Ordered*, That Mr. Roper inform the house of representatives thereof, and request their concurrence.

Leave was given to bring in the following bills, to-wit:

On the motion of Mr. Wood—a bill for the protection of certain settlers.

And on the motion of Mr. Barbee—a bill for transcribing certain surveys on treasury warrants in Green county.

Messrs. Wood, Roper and Turner, were appointed a committee to prepare and bring in the former, and messrs. Barbee, Roper and Ford, the latter.

Mr. Pope from the select committee to whom was referred a bill to form a new judicial district, and to regulate certain judicial districts, reported the same with an amendment.

Which was twice read.

And the question being taken on concurring therein, it was resolved in the affirmative—Yeas 26, Nays 7.

The yeas and nays being required thereon, by messrs. Dollerhide and Wood, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Crutcher, Davidson, Ewing, Ford, Given, Gorin, Hickman, Marshall, M'Lean, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Slaughter, Southgate, Throckmorton, Turner, Weir, Wood and Worthington.

Those who voted in the negative are—messrs. Clay, Dollerhide, Faulkner, Harrison, Jones, Lackey and Williams.

The bill having been re-engrossed, was read again.

*Resolved*, That the said bill do pass, and that the title be "an act to form two new judicial districts, and to regulate certain judicial districts."

*Ordered*, That Mr. Pope do carry said bill to the house of representatives, and request their concurrence.

Mr. Given read and laid on the table a resolution for a division of the public printing.



Mr. Southgate from the select committee to whom was referred a bill from the house of representatives entitled an act to alter the terms of the Nicholas circuit court, reported the same without amendment, and the bill was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Throckmerton inform the house of representatives thereof.

Mr. Crutcher from the select committee raised for that purpose, reported a bill more effectually to prevent masters or owners of slaves from suffering them to hire themselves.

Which was read the first time.

And the rule being dispensed with, it was read a second time, and committed to messrs. Perrin, Marshall and Jones.

Mr. Lackey read and laid on the table a resolution for appointing an agent to procure paper and plates for the bank of the commonwealth of Kentucky.

On the motion of Mr. Owens,

*Ordered*, That a message be sent to the house of representatives, requesting leave to withdraw a bill from that house, entitled an act to amend an act entitled an act reserving certain property from execution, approved, February 4, 1815, which was rejected by the senate.

And that Mr. Owens carry said message.

A message from the house of representatives by Mr. Farrow:

*Mr. Speaker*,

I am instructed by the house of representatives to inform the senate, that they indulge the request of withdrawing the bill entitled an act to amend an act reserving certain property from execution, approved, February 4, 1815, and direct me to deliver the same.

And then he withdrew.

Mr. Owens then moved to re-consider the vote rejecting the bill, which was done, and the bill committed to messrs. Jones, Roper, Owens, Crutcher and Bowmar.

On the motion of Mr. Ward,

*Ordered*, That a message be sent to the house of representatives requesting leave to withdraw a bill from that house, entitled an act to authorise the service of process by coroners in certain cases; which was rejected by the senate, and that Mr. Ward do carry said message.

A message from the house of representatives by Mr. Hall:

*Mr. Speaker,*

The house of representatives indulge the senate in withdrawing the bill entitled an act to authorise the service of process by coroners in certain cases, and direct me to deliver the same.

And then he withdrew.

Mr. Roper from the select committee appointed for that purpose, made the following report, to-wit :

The committee raised on so much of the governor's message as relates to education, have according to order, had the subject under consideration, and beg leave to report :

That they have been greatly delayed in procuring correct information in relation to the exact state of the several seminaries of learning, now under the patronage of the commonwealth and of individuals. Limited as they have been, in the means of obtaining a correct state of facts, and after the most laborious research and enquiry at the sources most likely to afford the requisite facilities to instruction, your committee are fully aware that they are unable to present this important subject to the legislature in a form and shape sufficiently definite, to give general satisfaction, or to enable the patrons of useful literature to act upon the subject with promptness and decision.

The number of country schools now in existence, supported alone by individual subscription, in their operations in the general, have a happy and beneficial influence on the minds of tender youth, in the inculcation of the rudiments of the English language, and in making a due impression of the principles of virtue and morality. If practicable these schools should receive a due share of public favor and protection.

Some of the smaller sources of revenue which flow into these streams that so bountifully replenish the treasury, might, we apprehend, be wisely converted to the useful purpose of aiding these necessary institutions in the instruction of the younger class of pupils, whereby the poor children of our country might participate in their benefits. Our resources are ample, and would fully justify the most liberal and munificent donations towards the acquirement of an object so desirable and important. To create a safe asylum for the distressed and poor orphans of our state, and to afford them the countenance of legislative authority, and the means of ordinary instruction, if nothing more could be done, we are

assured that, that much would be highly beneficial to them, interesting to the best feelings of humanity, and very gratifying to the friends and patrons of social order.

The anticipation of the good that would inevitably result from such a policy in the legislature, to the proud feelings of Kentucky, would more than amply compensate for the small pittance thus diverted in its progress from your treasury.

The seminaries of learning established by law in the several counties, have already been endowed, each, with an appropriation of six thousand acres of the vacant land of the commonwealth, which has in the general, enabled them to purchase eligible sites and to erect thereon the necessary buildings; in addition to which, the legislature at the session of 1819-20, have more liberally endowed those seats of learning respectively, by a grant of all the fines and forfeitures that are payable into the treasury.

Your committee highly appreciate the wise policy of those donations; the sums thus appropriated, although in their nature undefined and in some instances too small to answer the just expectations of the country, are still valuable additions to the former revenues of those institutions; and from the probable increase of those sums as we advance in strength and population, we apprehend that further appropriations at this time, to this class of public schools, is not essential to their prosperity. It is true, that the county seminaries here spoken of, are of primary importance to the country, and ought in a very peculiar manner, to have a more than ordinary share of legislative care and patronage. The facilities they afford in the vicinity of the residence of the student, and the expences saved in acquiring the rudiments of the English, as well as other languages, now in use, together with a variety of other useful and valuable branches of education, such as History, Geography, Mathematics, Geometry, Arithmetic and the like, giving these schools superior claims to the munificence and protection of the government; and they should at all times be fostered and promoted by a kind and liberal policy in the legislature.

Transylvania University stands intimately connected with the schools of the former classes, & of the whole, is infinitely the most important and interesting. It is here that the graduated scholar resorts with hope and expectation, and pleasure, after a long and tedious term of service in the inferior and preparatory schools, to finish and complete a classical and refined education, in the most useful and polished arts

and sciences. Full of energy and enterprize, the enlightened pupil looks to the mother school of his country with ardent feelings for the consummation of his hopes and wishes in the ultimate reward of all his efforts and labours.

There are in Transylvania at present, according to the report of the chairman of the board of trustees, 170 students, except those in the medical department, which holds out a certain prospect of a rapid increase of scholars in the institution.

Your committee regret that they are compelled to state, that at present the revenues of Transylvania University, are entirely inadequate to its just and proper support and maintenance. That one of its most productive branches of emolument has been cut off by the repeal of the independent bank system, and others by grant from the Virginia legislature, are not receivable for want of a remedy by law for their recovery.

The medical college attached to, and incorporated with the University, creates an additional inducement for legislative patronage. The number of medical gentlemen who attended the lectures in that department last year, as your committee have learned, was about thirty-six; the number this season from this, and the adjoining states, is between 80 and 100. An increase so rapid affords the strongest evidence of the confidence in which the institution is held at home and abroad; of the great ability of its professors, and gives strong assurances that Transylvania, by proper and well directed endowments, will soon realize the fondest hopes and anticipations of its friends, and the patrons of polite and useful learning. The donation made to the medical school last year of five thousand dollars, has in part, been appropriated to advantage; the balance remains to be disposed of by the medical faculty. In addition to the sum in hand, your committee are of opinion, in order to advance the prosperity of the institution, and to insure its future permanency, that an additional sum should be set apart by law for her benefit. It is unnecessary to dilate upon the reasons that ought to induce the legislature at this time, to extend their munificence; they have been recently too ably presented before the public to require recapitulation.

Your committee would refer to the report of the chairman of the board of trustees of Transylvania herewith filed, for a correct relation in detail, of the state of the institution.

From the auditor's report made at the present session, \$10,935 01, was expended in providing for the safe keeping



of lunatics ; and he states that the probable expenditures for the ensuing year to that purpose, will amount to \$12,000.

Your committee are of opinion that great expense might be saved to the state, were the Fayette Hospital purchased in, and attached to Transylvania. The funds now devoted to the benefit of lunatics alone, would amply support the united establishment ; the lunatics will be better provided with ordinary accommodation, with the addition of the best medical aid that the college can afford, which is offered gratis.

Your committee believe that many of those unfortunate beings might be restored to sane mind and to society, by the learned and experienced Doctors of that school. A result so desirable as to palliate or relieve those unfortunate victims in part, or by a total restoration of intellectual enjoyment, would be a source of great pleasure to the charitable and benevolent, and excite in the hearts of the most callous and obdurate, a lively feeling of joy and gratitude.

Your committee would forbear at this time, to propose any specific measures for adoption ; but will await the pleasure and orders of the senate.

DAVID WHITE, jr.  
WM. P. ROPER,  
RICH'D. HICKMAN,  
JAMES DAVIDSON,  
SAML. L. WILLIAMS,  
THOS. S. SLAUGHTER,  
WM. R. WEIR.

A message from the house of representatives by Mr. Brents :

*Mr. Speaker,*

The house of representatives disagree to the amendments proposed by the senate to a bill entitled an act for the relief of the heirs at law of John Walker, dec'd.

And then he withdrew.

The amendments were again taken up and read.

*Resolved,* That the senate insist on their amendments, and that Mr. Owens inform the house of representatives thereof.

The amendment proposed by the house of representatives to the third amendment proposed by the senate to a bill entitled an act for the benefit of Taylor Noel, was taken up and concurred in with an amendment.

*Ordered,* That Mr. Owens inform the house of representatives thereof, and request their concurrence.

An engrossed bill to amend an act appropriating fines and forfeitures, for the purposes of promoting education, was read a third time.

Mr. Owens moved to fill the blank in the seventh section with the words "fifty dollars."

And the question being taken thereon, it was resolved in the affirmative—Yeas 20, Nays 15.

The yeas and nays being required thereon by messrs. Throckmorton and Given, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Briscoe, Clay, Crutcher, Davidson, Faulkner, Given, Gorin, Harrison, Hickman, Jones, Marshall, M'Lean, Owens, Pickett, Pope, Roper, Slaughter, Turner and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Dollerhide, Ewing, Ford, Lackey, Mountjoy, Perrin, Smith, Southgate, Throckmorton, Ward, Weir, Wood and Worthington.

*Resolved*, That the said bill do pass, and that the title be "an act to amend an act appropriating fines and forfeitures for the purpose of promoting education."

*Ordered*, That Mr. Turner do carry said bill to the house of representatives, and request their concurrence.

And then the senate adjourned.

## TUESDAY, DECEMBER 5, 1820.

The senate assembled.

Mr Barbee from the joint committee of enrolments, reported, that they had examined enrolled bills of the following titles, to-wit :

An act to amend an act entitled an act directing surveyors to transcribe certain entry books, approved, February, 12, 1820.

An act for the benefit of Samuel Teer.

An act for the benefit of the heirs of Elijah Broadus, deceased.

An act authorising the trustees of Elizabethtown to perform certain duties.

An act authorising the sale of part of the public ground in Morgantown.

An act to erect election precincts in the counties of Mercer, Lincoln, Muhlenburg and Bath.

An act to legalize the proceedings of the Nelson county court, and for other purposes.

An act for the benefit of James Hays Sr. and Thomas Hendricks, Sr.

An act to regulate the town of Somerset.

An act to establish and regulate the town of Princeton.

An act for the benefit of the judge of the 12th judicial district.

An act to alter and extend the terms of the Montgomery circuit court, and to alter the time of holding the Bath circuit court.

An act declaring Tradewater a navigable stream.

An act allowing an additional number of constables' districts in certain counties.

A resolution fixing on a day for the election of a president and directors to the bank of Kentucky ; also, a treasurer and public printer.

An act to alter the time of holding the circuit court of Nicholas county.

An act for the benefit of the heirs of Henry Talbot, deceased.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Mr. Eve presented the petition of sundry citizens of Knox, Clay and Rockcastle, praying the formation of a new county out of parts of each.

Which was read and referred to the committee of propositions and grievances.

*Ordered.* That the committee for courts of justice be discharged from the further consideration of a bill from the house of representatives, entitled an act for the benefit of the seminary in Whitley county, and it was read a third time.

*Resolved,* That the said bill do pass, and that the clerk inform the house of representatives thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Barbee—a bill for transcribing certain surveys on treasury warrants in Green county.

By Mr. M'Lean—a bill allowing an appropriation for the improvement of the navigation of Salt river.

And by Mr. Crutcher—a bill authorising the trustees of the Hardin academy to sell their donation lands.

Which bills were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, the first and third bills were severally read a second and third time, (having been engrossed.)

*Resolved*, That the said bills do pass, and that the titles be respectively, “an act for transcribing certain surveys on treasury warrants in Green county, and an act authorising the trustees of the Hardin academy to sell their donation land.”

*Ordered*. That Mr. Barbee do carry the first, and Mr. Crutcher the third to the house of representatives and request their concurrence.

A message from the house of representatives by Mr. Miller :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act for classing tobacco in this commonwealth, and for other purposes ; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time and ordered to be read a second time.

Mr. Jones from the select committee to whom was referred a bill from the house of representatives, entitled an act to amend an act reserving certain property from execution, approved, February 4, 1815, reported the same with amendments, and the whole was committed to messrs. Flournoy, Jones and Ewing.

On the motion of Mr. Bowmar, leave was given to bring in a bill to amend an act to provide for the further publication of the decisions of the court of Appeals, and messrs. Bowmar, White and Gorin, were appointed a committee to prepare and bring it in.

A bill to amend the law concerning the sales of non-residents' lands for taxes, was read a second time, and committed to messrs. Harrison, Flournoy and Marshall.

Mr. Ward moved to reconsider the vote rejecting a bill from the house of representatives, entitled an act to authorize the service of process by coroners in certain cases.

Which was done, and the bill committed to messrs. Ward, Marshall and Worthington.



The amendment proposed by the house of representatives to a bill entitled an act to amend an act authorising certain justices of the county court to grant injunctions, writs of ne exeat and habeas corpus, approved, February 4, 1818, was again taken up and read.

*Resolved*, That the senate recede from their disagreement to said amendment, and that Mr. Pope inform the house of representatives thereof.

Bills from the house of representatives of the following titles, to-wit :

1. An act for the benefit of James Freeman ; 2. an act to add a part of Allen county to Simpson county ; 3. an act to appoint trustees and regulate the town of Leesburg in Harrison county ; 4. an act requiring the inhabitants of Pres-tonsville to work on a particular road ; 5. an act to establish a turnpike by the way of Williamsburg. Whitley county ; 6. an act for the benefit of Alexander M'Cloy ; 7. an act to authorize the printing and publishing the map of the land west of the Tennessee river ; 8. an act to authorize the establishing of private passways ; 9. an act to amend an act entitled an act to amend an act concerning occupying claimants of land ; 10. an act for the divorce of Betsey Craig, Polly Stewart and Martha Dunlavy ; 11. an act for the divorce of sundry persons ; and 12. an act for the benefit of Elizabeth Sellers.

Were severally read the first time and (except the two latter) ordered to be read a second time.

And the question being taken on reading the said bills the second time, it was resolved in the negative.

And so the said bills were rejected.

*Ordered*, That the clerk inform the house of representatives thereof.

The rule was then dispensed with and the seven former bills were read a second time, and the five former a third time.

*Resolved*, That the five former bills do pass, and that the clerk inform the house of representatives thereof.

The 6th and 7th bills were committed to the committee for courts of justice.

Mr. Owens moved to amend the fifth bill by attaching thereto the following sections, to-wit :

And whereas it is further represented to this general assembly, that it would conduce greatly to the public good, that a road should be opened from the interior of this state to the Tennessee state line, on a direction to intersect the great na-

tional road from New-Orleans to Murfreesborough,

*Be it therefore further enacted, That* from the  
county of Lincoln, from the county of Casey,  
from the county of Adair, and

from the county of Cumberland, be, and they are hereby appointed commissioners, who, or a majority of them, shall be, and they are authorized to view the best and most practicable route for a road commencing at the town of Danville, in the county of Mercer; and from thence to the town of Columbia, in Adair county; and from thence to the Tennessee line, on a direction to Murfreesborough; that the said commissioners shall have the power to employ a competent surveyor, chain-carriers and a marker, and plainly mark the way so viewed by them, and measure the same, and make out four fair plats and certificates thereof, one of which shall be deposited in the clerk's office of each of the aforesaid counties. They shall also make out one other plat and deposit the same in the secretary's office, previous to the commencement of the next session of the general assembly.

§ 2. *Be it further enacted, That* the commissioners appointed by this act, shall each receive for their services, \$ per day for every day they shall be necessarily employed in discharge of their duty; the surveyor the sum of \$ per day, and the chain-carriers and marker each, \$ per day; which account shall be proven in the county court of Adair; and if allowed by said court, the same shall be certified to the Cumberland and Casey county courts, and levied and paid by the said counties of Adair, Cumberland and Casey.

And the question being taken thereon, was resolved in the negative—Yeas 10, Nays 26.

The yeas and nays being required thereon by messrs. Owens and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Bowmar, Hickman, Lackey, Marshall, Owens, Perrin, Pope, Roper, Southgate and White.

Those who voted in the negative are—messrs. Anderson, Harbee, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Jones, M'Lean, Mountjoy, Pickett, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, Wood and Worthington.

*Ordered, That* the public printers forthwith print 150 copies of the ninth bill, for the use of the members of the senate.

And the question being taken on reading the tenth bill a second time, it was resolved in the affirmative—Yeas 19, Nays 18.

The yeas and nays being required thereon by messrs. Anderson and Throckmorton, were as follows, to wit :

Those who voted in the affirmative are—messrs. Briscoe, Clay, Crutcher, Davidson, Dollerhide, Ewing, Faulkner, Ford, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, Mountjoy, Throckmorton, Ward, White and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Eve, Flournoy, Given, M'Lean, Owens, Perrin, Pickett, Pope, Roper, Slaughter, Smith, Turner, Weir, Wood and Worthington.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the relief of insolvent debtors, approved, 14th February, 1820, and for other purposes ; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time and ordered to be read a second time.

The senate received from the governor by the secretary of state a message in writing, covering sundry communications from the executives of sister states.

And then the senate adjourned.

### WEDNESDAY, DECEMBER, 6, 1820.

The senate assembled.

The lieutenant governor appeared and resumed the duties of the chair.

The speaker signed the enrolled bills reported on yesterday, and they were delivered to the joint committee of enrolments, to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

Mr. Given presented the petition of sundry citizens of Caldwell county, praying a division thereof.

Which was read and referred to the committee of propositions and grievances.

Mr. Roper from the committee for courts of justice, made the following report, to-wit :

The committee for courts of justice, have according to order, had under consideration, a bill from the house of representatives to them referred, and have come to the following resolution thereupon, to-wit :

*Resolved*, That the bill entitled "an act for the benefit of Alexander M'Cloy," ought to pass.

Which was concurred in.

And the bill was read a third time.

*Resolved*, That the said bill do pass, and that the clerk inform the house of representatives thereof.

Mr. Roper from the committee for courts of justice, to whom was referred a bill for the benefit of the heirs of John-son Ellis, dec'd. reported the same with an amendment.

Which was concurred in.

And the bill ordered to be engrossed and read a third time.

Mr. Jones from the select committee to whom was referred a bill from the house of representatives, entitled an act reserving certain property from execution, approved, February 4, 1815, reported the same with an amendment.

Which was concurred in.

And the bill read a third time.

The question being taken on the passage thereof as amended, it was resolved in the affirmative—Yeas 21, Nays 16.

The yeas and nays being required thereon, by messrs. Turner and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Eve, Ewing, Flournoy, Ford, Gorin, Hickman, Jones, Marshall, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Smith, Throckmorton, White and Williams.

Those who voted in the negative are—messrs. Anderson, Clay, Crutcher, Davidson, Dollerhide, Faulkner, Given, Harrison, Lackey, M'Lean, Southgate, Turner, Ward, Weir, Wood and Worthington.

*Resolved*, That the said bill as amended do pass, and that Mr. Jones inform the house of representatives thereof, and request their concurrence in the said amendment.

Mr. Ward from the select committee to whom was referred a bill from the house of representatives entitled an act to authorize the service of process by coroners in certain cases, reported the same with an amendment.



Which was concurred in.

And the bill read a third time.

*Resolved*, That the said bill as amended do pass, and that the clerk inform the house of representatives thereof and request their concurrence in the said amendment.

A message from the house of representatives by Mr. N. P. Porter :

*Mr. Speaker*,

The house of representatives have passed bills of the following titles, to-wit :

An act for the benefit of the heirs of Morgan Pitcher, deceased ; an act to incorporate the New Liberty library company ; an act repealing in part, the act entitled an act providing for the removal of obstructions to the navigation of Floyd's Fork ; and an act for surveying the military claims west of the Tennessee river ; in which they request the concurrence of the senate.

And then he withdrew.

*Ordered*, That the committee of the whole house on the state of the commonwealth, be discharged from the further consideration of a bill for the benefit of poor widows.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Jones in the chair ; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Jones reported, that the committee had according to order, had under consideration, resolutions concerning the pecuniary embarrassment of the country, and had gone through the same with amendments ; which he handed in at the clerk's table.

And then the senate adjourned.

#### THURSDAY, DECEMBER 7, 1820.

The senate assembled.

The senate received information by the secretary of state, that the governor did on yesterday, approve and sign sundry enrolled bills and an enrolled resolution which originated in the senate, of the following titles, to-wit :

A resolution fixing on a day for the election of a president and directors to the bank of Kentucky ; also, a treasurer and public printer.

An act allowing an additional number of constable's districts in certain counties.

An act to alter and extend the terms of the Montgomery circuit court, and to alter the time of holding the Bath circuit court.

An act declaring Tradewater a navigable stream.

An act for the benefit of the judge of the 12th judicial district.

An act to establish and regulate the town of Princeton.

An act to regulate the town of Somerset.

An act for the benefit of James Hays, Sr. and Thomas Hendricks, Sr.

*Ordered*, That the clerk inform the house of representatives thereof.

Mr. Flournoy from the committees appointed for that purpose, made the following report, to-wit :

The committee to whom was referred that portion of the governor's message, that relates to the care and safekeeping of lunatics, and persons of unsound mind ; and also the committee appointed to examine the Lexington Hospital, and to ascertain the practicability and expediency of purchasing the same, to found thereon a public lunatic hospital, have entered upon the duties thus assigned them. Considering their course of enquiry intimately connected, and both tending to the same object, they determined to act in concert.— Thus associated, on the 26th ult. they visited Lexington in person, and in company with the proprietors, viewed, and carefully examined the hospital building and its appurtenances.

They find it situated near the northern suburb of Lexington, on a beautiful rise, on a lot of ground containing about ten acres, apparently in a square figure, inclosing in its extent, and very convenient to said building, a spring of never failing water ; the soil of the first quality and lying convenient for tillage.

The building is large and of the best materials ; every brick appears to be laid in mortar of the finest sand and lime, in size 66 feet by near 64 feet square, built on a foundation of stone work extending from the bottom of a large and dry cellar, to four feet above the surface ; the balance of the structure of strong and well burnt brick, is three stories high, with numerous and well arranged windows. The different tiers of joist are of sawed oak, and the window frames of cedar ; the whole well covered in, except the opening for the cupola, which is still incomplete. Upon the whole, your committee hesitate not to say, that they consider the building of the finest and best workmanship, and composed of the

most durable materials, situated on a spot well chosen and highly calculated to answer all the valuable and humane purposes of a state hospital.

Your committee have ascertained that the house and appurtenances can be bought for the sum of ten thousand dollars, and only one fourth of the purchase money required to be paid in hand, the balance in one, two and three equal annual instalments. That although the whole purchase money has not been paid by the hospital company to the late proprietor, yet there is no sort of danger in the title; the balance due is little upwards of seven hundred dollars, and that is proposed to be considered a part of the first payment, on the receipt of which sum, your committee are well assured the conveyance will be made full and satisfactory.

Your committee further state, that on the completion of the hospital, a claim will arise to the proprietors, of a legacy left in the last will, of John Christian, dec'd. of \$5000, to be paid to the erectors of the first charitable institution in the state of Kentucky. Your committee are also informed, that the executors of said will are prepared and willing to pay the amount to whoever is duly entitled to receive the same, and are now living in Jefferson county, near Louisville.

Your committee are advised, and they believe that about \$5000 will entirely finish and complete said building, and that from sixty to seventy lunatics may be safely provided for therein; that a keeper highly calculated for the duties, can be had on reasonable terms; that the whole round of medical attendance, and assistance of skilful physicians, can be had gratis; for the assurance of which undertaking, the different medical professors attached to the college of Transylvania, are willing to incur an express obligation.

Your committee, from a view of all the circumstances, have thought proper to offer the following resolutions:

*Resolved* as the opinion of your committee, that the care and safe keeping of persons of lunatic and unsound minds, can be much better and more cheaply provided by a state hospital, than by the present regulations, in placing such unfortunate sufferers in the hands of irresponsible individuals.

*Resolved*, That it is economical and expedient, for the legislature to arrange a hospital for the care and safe keeping of lunatics; and that the terms by which the purchase can be effected of the Lexington Hospital and its appurtenances.

ces, are accommodating, reasonable, and ought to be acceded to.

*Resolved.* That so much money ought to be appropriated by law at the present session of the legislature, as will effect the objects herein contemplated, and that a bill be introduced for such purposes.

M. FLOURNOY,  
S. M'LEAN,  
N. D. ANDERSON,  
YOUNG EWING,  
ELIAS BARBEE,  
THOS. THROCKMORTON.

The resolutions were concurred in, and the said committee directed to prepare and bring in a bill pursuant thereto.

The resolution for a division of the public printing was taken up, and read as follows, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky.* That they will, at the present session, divide the public printing, and elect two public printers ; that they will elect one to print the journals of the senate and house of representatives, and the blanks for inspectors, and public officers, and to publish all advertisements for the sale of non-residents' lands ; and the other to print the acts of the present session of the general assembly.

And the question being taken thereon, it was rejected.

The following resolution was taken up, read and concurred in, as follows, to-wit :

*Resolved, by the General Assembly of the Commonwealth of Kentucky.* That they will on Tuesday next, proceed to elect a president and twelve directors for the Bank of the Commonwealth of Kentucky.

*Ordered.* That Mr. Ewing inform the house of representatives thereof, and request their concurrence.

Mr. Owens read and laid on the table, the following resolution, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky.* That in voting for a president and directors of the Bank of Kentucky, they will first vote for a president, and after he is elected, they will then vote for six directors, dropping the person having the smallest number of votes, until six shall obtain a majority of all the votes given.



And thereupon the rule being dispensed with, it was taken up and adopted.

*Ordered,* That Mr. Owens inform the house of representatives thereof, and request their concurrence.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The house of representatives concur in the amendment proposed by the senate, upon concurring in amendments proposed by the house of representatives, upon concurring in those proposed by the senate, to a bill entitled an act for the benefit of Taylor Noel, and they concur in the amendments proposed by the senate, to a bill entitled an act to amend an act entitled an act to reduce into one, the several acts concerning wills, the distribution of intestates' estates and the duty of executors and administrators, approved, February 4, 1797, with an amendment ; in which they request the concurrence of the senate.

And then he withdrew.

The said amendment was taken up and concurred in.

*Ordered,* That the clerk inform the house of representatives thereof.

A message from the house of representatives by Mr. Farrow :

*Mr. Speaker,*

The house of representatives concur in the resolution from the senate, relating to the election of a president and directors to the Bank of Kentucky. They are now ready to proceed to the election of a president, and Martin D. Hardin, John Harvie and Robert Alexander, stand in nomination for that office.

And then he withdrew.

*Ordered,* That Mr. Ewing inform the house of representatives that the senate are ready to proceed in said election, and that the same persons stand in nomination as reported from that house.

The senate proceeded in said election.

And messrs. Ewing and Owens, were appointed a committee on the part of the senate, to meet a committee from the house of representatives to compare the polls and report the result.

The committee retired, and after some time, Mr. Ewing reported, that the joint vote stood thus :

For Mr. Alexander,	30
Mr. Hardin,	49
Mr. Harvie,	53

Mr Alexander having the smallest number of votes, was dropt, and a second vote was taken.

The committee again retired, and reported that the joint vote stood thus :

For Mr. Harvie,	77
Mr. Hardin,	60

Whereupon Mr. Harvie was declared duly elected President of the Bank of Kentucky.

*Ordered*, That Mr. Ewing inform the house of representatives that the senate are now ready to proceed to the election of directors of the Bank of Kentucky on the part of the state.

And that Achilles Sneed, John M'Kinney, jr. John M. Foster, Richard Taylor, jr. Joseph C. Breckinridge, Peter Dudley and Silas M. Noel. stand in nomination.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker*,

The house of representatives are ready to proceed to the election of directors of the Bank of Kentucky on the part of the state, & the same persons stand in nomination before that house as reported from the senate, with the addition of Preston W. Brown and Charles Miles.

And then he withdrew.

The senate proceeded in said election.

Messrs. Ewing and Owens were appointed a committee to meet one from the house of representatives to compare the polls, and report the result :

The committee retired, and after a short time returned, and Mr. Ewing reported, that the joint vote stood thus :

For Mr. Sneed,	127
Mr. Breckinridge,	127
Mr. Dudley,	124
Mr. Foster,	122
Mr. M'Kinney,	114
Mr. Taylor,	88
Mr. Brown,	44
Mr. Noel,	39
Mr. Miles,	31

Whereupon, messrs. Sneed, Breckinridge, Dudley, Foster, M'Kinney and Taylor, having received a majority of all the votes, were declared duly elected.

*Ordered*, That Mr. Ewing inform the house of representatives that the senate are ready to proceed to the election of a treasurer and public printer ; and that Mr. Samuel South,

stands in nomination for treasurer, and messrs. Kendall & Russells, and Mr. Jacob H. Holeman, for public printer.

A message from the house of representatives by Mr. Howard :

*Mr. Speaker,*

The house of representatives are ready to proceed to the election of a treasurer and public printer, and Mr. Samuel South stands in nomination for treasurer, and messrs. Kendall & Russells, and Mr. Jacob H. Holeman, for public printer.

And then he withdrew.

The senate proceeded in said election.

And messrs. Ewing and Owens, were appointed a committee to meet one from the house of representatives, to compare the polls and report the result.

They retired, and after some time returned, when Mr. Ewing reported, that Mr. Samuel South, had received a unanimous vote as treasurer, and that the vote for public printer, stood thus :

For messrs. Kendall & Russells,	114
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Mr. Holeman,	13
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Whereupon, Mr. South was declared duly elected treasurer, and messrs. Kendall & Russells public printers.

Mr. Marshall from the select committee to whom was referred a bill to amend the law concerning the sales of non-residents' lands for taxes, reported the same with amendments.

Which were concurred in.

And the bill ordered to be engrossed and read a third time.

And then the senate adjourned.

#### FRIDAY, DECEMBER 8, 1820.

The senate assembled.

Mr. Wood presented the petition of sundry citizens of Cumberland county, praying that a road may be opened from Danville to the Tennessee line, in a direction to Murfreesborough.

Which was read and referred to messrs. Wood, Owens and Ewing, with leave to report by bill or otherwise.

A message from the house of representatives by Mr. Brents :

*Mr. Speaker,*

The house of representatives recede from their disagreement to an amendment made by the senate, to a bill entitled an act for the benefit of the heirs at law of John Walker, deceased.

And then he withdrew.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker,*

The house of representatives concur in the amendment proposed by the senate to a bill entitled an act to authorize the service of process by coroners in certain cases.

And then he withdrew.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The house of representatives concur in the amendments proposed by the senate, to a bill entitled an act to amend an act entitled an act reserving certain property from execution, approved, February 4, 1815.

And then he withdrew.

Leave was given Mr. Pope to report a bill to authorize the secretary of state to furnish the department of state for the United States, with a complete edition of the laws of this commonwealth.

Which was read the first time.

And the rule being dispensed with, it was read a second and third time, (having been engrossed.)

*Resolved,* That the said bill do pass, and that the title be "an act to authorize the secretary of state to furnish the department of state for the United States, with a complete edition of the laws of this commonwealth."

*Ordered,* That Mr. Pope do carry said bill to the house of representatives, and request their concurrence.

A message from the house of representatives by Mr. Stevenson :

*Mr. Speaker,*

The house of representatives have passed bills of the following titles, to-wit :

An act to establish the Lindley Academy in Henry county, and incorporate trustees to that institution ; an act for the benefit of Betsey Horton, and an act for the benefit of the heirs of Lewis Young, dec'd. ; in which they request the concurrence of the senate.

And then he withdrew.



The senate received from the governor by Mr. Anderson, a message in writing.

And the rule being dispensed with, it was taken up and read as follows, to-wit :

*Gentlemen of the Senate,*

Samuel South, the treasurer elect, has offered the following gentlemen as his securities for the ensuing year, to-wit :

George M. Bibb, John Harvie, Achilles Sneed, Jephthah Dudley, John J. Crittenden & Richard Taylor, whom I now recommend for your advice and consent.

JOHN ADAIR.

December 8th, 1820.

*Resolved*, That the senate advise and consent to said securities.

*Ordered*, That messrs. Ewing and Given inform the governor thereof.

*Ordered*, That the committee of the whole house on the state of the commonwealth, be discharged from the further consideration of a bill from the house of representatives, entitled an act authorising the county courts to purchase lands and erect buildings for the accommodation of the poor, and a bill to prevent the circulation of private notes.

And the question being taken on reading the former bill a third time, it was resolved in the negative.

And so the said bill was rejected.

*Ordered*, That the clerk inform the house of representatives thereof.

Mr. Crutcher moved to lay the latter bill on the table until the first day of May next.

And the question being taken thereon, it was resolved in the negative—Yeas 7, Nays 28.

The yeas and nays being required thereon by messrs. Dollerhide and Pickett, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Briscoe, Crutcher, Ewing, Flournoy, Mountjoy, Owens and Southgate.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Clay, Davidson, Dollerhide, Eve, Faulkner, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, Perrin, Pickett, Pope, Roper, Smith, Throckmorton, Turner, Ward, Weir, White, Williams and Wood.

Mr. Ward then moved so to amend the bill, as that it should not take effect until the last day of April next.

And the question being taken thereon, it was resolved in the negative—Yeas 14, Nays 19.

The yeas and nays being required thereon by messrs. Ward and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Bowman, Briscoe, Grutcher, Ewing, Flournoy, Given, Hickman, Marshall, Owens, Smith, Southgate, Ward, Weir and Wood.

Those who voted in the negative are—messrs. Barbee, Clay, Davidson, Dollerhide, Eve, Faulkner, Ford, Gorin, Harrison, Jones, Lackey, Perrin, Pickett, Pope, Roper, Throckmorton, Turner, White and Williams.

The bill was then amended at the clerk's table and ordered to be engrossed and read a third time.

A message from the house of representatives by Mr. Hall:

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the relief of Braxton B. Winn; in which they request the concurrence of the senate.

And then he withdrew.

Mr. Wood from the committee appointed for that purpose, reported a bill appointing viewers to view a way for a road from Danville to the Tennessee line on a direction to Murfreesbrough.

Which was read the first time and ordered to be read a second time.

And then the senate adjourned.

SATURDAY, DECEMBER 9, 1820.

The senate assembled.

Mr Barbee from the joint committee of enrolments, reported, that they had examined sundry enrolled bills of the following titles, to-wit:

An act to amend an act entitled an act reserving certain property from execution, approved, February 4, 1815.

An act for the benefit of Taylor Noel.

An act to appoint trustees and regulate the town of Leesburg in Harrison county.

An act for the benefit of the seminary in Whitley county.

An act to add a part of Allen county to the county of Simpson.

An act requiring the inhabitants of Prestonsville to work on a particular road.

An act to amend an act entitled an act to incorporate the Union circulating, and Fredericksburg social library companies.

An act for the benefit of the heirs of David C. Irvine, deceased.

An act to establish and regulate the town of Elkton, in the county of Todd.

An act to establish a turnpike by the way of Williamsburg in Whitley county.

An act establishing a toll bridge on Beargrass creek in Jefferson county.

An act for the relief of the heirs at law of John Walker, dec'd.

An act for the benefit of Alexander McCoy.

An act for the benefit of James Freeman.

An act for the benefit of the executors, widow and heirs, of Christian Hahn.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills being the same reported to day, by Mr. Barbee, and they were delivered to the joint committee, to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

Mr. Williams presented the petition of William C. Ralls, praying that the authentication of a certain Deed may be declared valid.

Which was read and referred to the committee for courts of justice.

Mr. Williams from the select committee to whom was referred a bill entitled an act for the relief of Debe Ginnons, reported the same without amendment.

And the bill was read a third time.

The question was then taken on the passage thereof, and it was resolved in the negative.

And so the said bill was rejected.

*Ordered*, That the clerk inform the house of representatives thereof.

Mr. Marshall presented the petition of Edwin Hord, representing that he, as the agent of the heirs of Thomas Coghill, dec'd. commenced an action of ejectment against sundry persons in the general court for 1,500 acres of land, patented to said dec'd; that a judgment was obtained, which was affirmed by the court of Appeals; that the judgment was enjoined; that it was dissolved and the bill dismissed; but the demise laid in the declaration had expired, and the court refuses to award him a writ of possession; and praying legislative relief.

Which was read and referred to the committee for courts of justice.

Mr. Flournoy presented the petition of Thomas Worland, administrator of Arthur Oneal, praying that a law may be passed authorising him to sell part of the real estate of said dec'd. for the payment of his debts.

Which was read and referred to messrs. Flournoy, Smith and Southgate, with leave to report by bill or otherwise.

Mr. White moved the following resolution:

*Resolved*, That the standing hour for the meeting of the senate, during the present session, shall be 9 o'clock, A. M.

Which was adopted.

A message from the house of representatives by Mr. Love:

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act to prohibit the appropriation of land stricken off to the state, by any person but an actual settler; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time.

And the rule being dispensed with, it was read a second time, amended at the clerk's table, and read a third time.

*Resolved*, That the said bill as amended do pass, and that Mr. Ewing inform the house of representatives thereof, and request their concurrence in the said amendments.

The senate received from the governor by Mr. Anderson, a message in writing.

And the rule being dispensed with, it was taken up and read as follows, to-wit:



*Gentlemen of the Senate,*

I nominate for your advice and consent, the following persons to be commissioned during good behaviour, to-wit :

James Ward, jr. brigade quarter-master of the 14th brigade.

Bazil Waring, col. of the 70th regiment in the place of Thompson Ward, promoted.

Samuel W. Gammon, lieut. col. of the same regiment in the place of Bazil Waring, if promoted.

John M. M'Connell, major in the same regiment, in the place of Samuel W. Gammon, if promoted.

Thomas H. Hunter, division inspector of the first division, in the place of Spencer Curd, resigned.

Thomas K. Neuman, major in the 41st regiment, in the place of Joseph A. Barnett, removed.

JOHN ADAIR.

December, 9th, 1820.

*Resolved,* That the senate advise and consent to said appointments.

*Ordered,* That messrs. Barbee and Briscoe, inform the governor thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same, to-wit :

By Mr. Bowmar—a bill to amend the act entitled an act to provide for the further publication of the decisions of the court of Appeals.

And by Mr. Flournoy—a bill for erecting a state Hospital.

Which was read the first time.

And the rule being dispensed with, they were read a second time, the former ordered to be engrossed and read a third time, and the latter committed to a committee of the whole house on the state of the commonwealth for Monday next.

A message from the house of representatives by Mr. M'Millan :

*Mr. Speaker,*

The house of representatives disagree to a bill from the senate entitled an act to repeal in part, the act allowing fees to justices of the peace.

And they have passed bills from the senate of the following titles, to-wit :

An act for the benefit of the stockholders of the late independent banks ; an act to repeal in part the act declaring Nolin navigable ; an act for the benefit of Thomas Mahan, and an act for the benefit of the heirs of John Radford.

And then he withdrew.

A message from the house of representatives by Mr. M'Kee :

*Mr. Speaker,*

The house of representatives concur in the amendment made by the senate, to a bill entitled an act to prohibit the appropriation of land stricken off to the state by any person but an actual settler.

And then he withdrew.

The resolutions relating to the pecuniary embarrassments of the country were taken up, and Mr. Faulkner moved to lay them on the table until the first day of June next.

And the question being taken thereon, it was resolved in the affirmative—Yeas 20, Nays 15.

The yeas and nays being required thereon, by messrs. Faulkner and Jones, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Clay, Davidson, Dollerhide, Eve, Faulkner, Ford, Given, Gorin, Harrison, Jones, Lackey, Mountjoy, Pope, Roper, Southgate, Throckmorton, Turner, Weir, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Crutcher, Ewing, Flournoy, Hickman, Marshall, Owens, Perrin, Smith, Ward, White and Wood.

A message from the house of representatives by Mr. Murray :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the benefit of the Breckinridge Seminary ; in which they request the concurrence of the senate.

And then he withdrew.

Engrossed bills, to-wit :—a bill for the benefit of poor widows ; a bill for the benefit of the heirs of Johnson Ellis, deceased ; a bill to amend the law concerning the sales of non-residents' lands for taxes, and a bill to prevent the circulation of private notes.

They were severally read a third time.

And the question being taken on the passage of the second, it was resolved in the negative.

And so the said bill was rejected.

The question being taken on the passage of the third bill, it was resolved in the affirmative—Yeas 28, Nays 4.

The yeas and nays being required thereon by messrs. Crutcher and Jones, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Davidson, Dollerhide, Ewing, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, Owens, Perrin, Pope, Southgate, Throckmorton, Turner, Ward, Weir, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Clay, Crutcher, Mountjoy and Roper.

The question being taken on the passage of the fourth bill, it was resolved in the affirmative—Yeas 31, Nays 4.

The yeas and nays being required thereon by messrs. Owens and Jones, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Clay, Davidson, Dollerhide, Eve, Ewing, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, Mountjoy, Perrin, Pope, Roper, Smith, Southgate, Throckmorton, Turner, Weir, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Crutcher, Owens, Ward and White.

*Resolved*, That the first, third and fourth bills do pass, and that the titles be respectively, “an act for the benefit of poor widows ; an act to amend the law concerning the sales of non-residents’ lands for taxes, and an act to prevent the circulation of private notes.”

*Ordered*, That Mr. Bowmar do carry said bills to the house of representatives, and request their concurrence.

A bill more effectually to prevent masters or owners of slaves from suffering them to hire themselves, was taken up, and the proposed amendments concurred in.

The bill was then ordered to be engrossed and read a third time.

The senate received from the governor by Mr. Anderson, two messages in writing, one covering a communication from the executive of Louisiana, and the other containing military nominations.

A bill appointing viewers to view a way for a road from Danville to the Tennessee line, on a direction to Murfreesborough.

Was read a second time, and ordered to be engrossed and read a third time

Mr Barbee from the joint committee of enrolments, reported, that they had examined an enrolled bill entitled an act to prohibit the appropriation of land stricken off to the state by any person but an actual settler.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed an enrolled bill, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bill, being the same just reported by Mr. Barbee, and it was delivered to the joint committee, to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee reported that they had performed that duty.

A message from the house of representatives by Mr. Harris :

*Mr. Speaker,*

The house of representatives have passed a bill from the senate entitled an act to establish an election precinct in Floyd county, with amendments ; in which they request the concurrence of the senate.

And then he withdrew.

The amendments were taken up and concurred in.

*Ordered,* That Mr. Lackey inform the house of representatives thereof.

Bills from the house of representatives of the following titles, to-wit :

An act for the divorce of Betsey Craig, Polly Stewart and Martha Dunlavy ; an act to authorize the establishing of private passways, and an act to amend an act entitled an act to amend an act concerning occupying claimants of land.

Were severally read a second time, the former was committed to the committee of religion, and the two latter were laid on the table.

And then the senate adjourned.



MONDAY, DECEMBER 11, 1820.

The senate assembled.

Mr. Ewing presented the petition of Abijah Hightower, representing that his wife has abandoned him ever since May 1819, and praying for a divorce ; but no notice accompanying the same, it was declared out of order, and the petition rejected.

The speaker laid before the senate a memorial of Matthew Lyon, remonstrating against the passage of a bill from the house of representatives, for taking the sense of the people of Caldwell county, in relation to a division thereof.

Which was read and laid on the table.

A message from the house of representatives by Mr. M'Kee :

*Mr. Speaker,*

The house of representatives have received official information, that the governor did on the 7th inst. approve and sign sundry enrolled bills which originated in that house, of the following titles, to-wit :

An act to erect election precincts in the counties of Mercer, Lincoln, Muhlenburg and Bath.

An act to legalize the proceedings of the Nelson county court, and for other purposes.

An act to alter the time of holding the circuit court in Nicholas county.

An act for the benefit of the heirs of Elijah Broadus, deceased.

An act for the benefit of the heirs of Henry Talbot, deceased.

An act authorising the trustees of Elizabethtown to perform certain duties.

An act authorising the sale of part of the public ground in Morgantown.

An act for the benefit of Samuel Teer.

An act to amend an act entitled an act directing certain surveyors to transcribe certain entry books, approved, February 12th 1820.

They have passed bills from the senate of the following titles, to-wit :

An act for the divorce of Cynthia Carson ; an act for the benefit of the heirs of John Green, and an act to suspend the

power vested in the governor and treasurer to subscribe on the part of the state for shares in the bank of Kentucky.

And they have passed bills of the following titles, to-wit :

An act to authorize the citizens of Caldwell county to express their sentiments by vote, at the next August election relative to a division of said county, and for other purposes, and an act for the benefit of Thomas Robertson of Henry county ; in which they request the concurrence of the senate.

And then he withdrew.

The said bills were read the first time.

And the question being taken on reading the former bill a second time, it was resolved in the negative.

And so the said bill was rejected.

And the rule being dispensed with, the latter bill was read a second and third time.

*Resolved*, That the said bill do pass.

*Ordered*, That the clerk inform the house of representatives thereof.

Engrossed bills, to-wit :—an act to amend the act entitled an act to provide for the further publication of the decisions of the court of Appeals ; an act appointing persons to view a way for a road from Danville to the Tennessee line ; and a bill more effectually to prevent masters or owners of slaves from suffering them to hire themselves.

*Resolved*, That the first and second bills do pass, and that the titles be respectively, “an act to amend the act entitled an act to provide for the further publication of the decisions of the court of Appeals, and an act appointing persons to view a way for a road from Danville to the Tennessee line.”

*Ordered*, That Mr. Bowmar do carry the first, and Mr. Wood the second, to the house of representatives and request their concurrence.

The third bill was committed to messrs. Crutcher, Perrin and Marshall.

Leave was given to bring in the following bills, to-wit :

On the motion of Mr. Turner—a bill to authorize the publication of certain advertisements in the Christian Advocate printed in Bowlinggreen.

And on the motion of Mr. Bowmar—a bill to establish the Francis Peart college.

Messrs. Turner, Eve and Faulkner, were appointed a committee to prepare and bring in the former, and messrs. Bowmar, White and Roper, the latter.

A message from the house of representatives by Mr. Mosley :

Mr. Speaker,

The house of representatives have passed bills of the following titles, to wit :

An act for the benefit of the citizens of the town of Mount-sterling, and an act allowing an additional number of justices of the peace to certain counties ; in which they request the concurrence of the senate.

And then he withdrew.

The said bills were read the first time.

And the rule being dispensed with, they were read a second and third time.

*Resolved*, That the said bills do pass, and that the clerk inform the house of representatives thereof.

A bill from the house of representatives entitled an act to amend an act entitled an act to amend an act concerning occupying claimants of land, was taken up and read.

The 2d section of the bill was again read as follows, to wit :

§ 2. *Be it further enacted*, That the occupant or occupants, seater or improver of the land, shall hold the same free of rent after judgment or decree, and until the successful claimant or claimants pay to the occupant or occupants, seater or improver, the value of *all valuable and lasting improvements made upon* the land, to be assessed by the commissioners, having first deducted therefrom, any damage or waste, committed on the land by the occupant or occupants, seater or improver, recovered by the successful claimant or claimants, after suit brought, to be ascertained by said commissioners, any law to the contrary notwithstanding.

Mr. White moved to amend said section by striking out the words in italics, and inserting in lieu thereof, the words "seating and improving."

And the question being taken thereon, it was resolved in the negative—Yeas 3, Nays 28.

The yeas and nays being required thereon, by messrs. Throckmorton and Gorin, were as follows, to wit :

Those who voted in the affirmative are—messrs. Owens, Turner and White.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Clay, Crutcher, Davidson, Eve, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, Mountjoy, Perrin, Pickett, Pope,

Roper, Southgate, Throckmorton, Ward, Weir, Wood and Worthington.

Mr. Bowmar then moved to amend the said section, by striking out the words "after suit brought."

And the question being taken thereon, it was resolved in the negative—Yeas 10, Nays 22.

The yeas and nays being required thereon, by messrs. Bowmar and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Crutcher, Davidson, Faulkner, Jones, Marshall, Owens, Pope and White.

Those who voted in the negative are—messrs. Briscoe, Clay, Dellerhide, Eve, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Lackey, Mountjoy, Perrin, Pickett, Roper, Southgate, Throckmorton, Turner, Ward, Weir, Wood and Worthington.

The eighth section of the bill was again read as follows, to-wit:

§ 8. *Be it further enacted*, That the successful claimant or claimants, may have his election to give up the land by him or them recovered, *and discharge the judgment and claim against him or them for improvements.*

Mr. Pope moved to amend said section by striking out the words in italics, and inserting in lieu thereof the following, "and release his or their title thereto, and by so doing the judgment and claim against him or them, for improvements, shall be discharged and satisfied."

The question being taken thereon, it was resolved in the affirmative—Yeas 19, Nays 15.

The yeas and nays being required thereon, by messrs. Owens and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Crutcher, Davidson, Eve, Ewing, Faulkner, Given, Hickman, Jones, Marshall, Owens, Pope, Roper, Southgate, Ward, White and Wood.

Those who voted in the negative are—messrs. Briscoe, Clay, Dellerhide, Flournoy, Ford, Gorin, Harrison, Lackey, Mountjoy, Perrin, Pickett, Throckmorton, Turner, Weir and Worthington.

Mr. Marshall then moved to amend the bill by attaching thereto the following section, to-wit:

*Be it enacted*, That nothing in this act shall be so construed, as to authorize any occupant or occupants, to take out any execution, until after the expiration of five years, from and after the rendition of the judgment for improvements to en-



force the collection of any judgment or judgments, rendered against any successful claimant or claimants, for improvements under this act.

And the question being taken thereon, it was resolved in the negative—Yeas 10, Nays 22.

The yeas and nays being required thereon, by messrs. Throckmorton and Gorin, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Crutcher, Eve, Ewing, Faulkner, Given, Jones, Marshall, Owens and Pope.

Those who voted in the negative are—messrs. Barbee, Briscoe, Clay, Dollerhide, Flournoy, Ford, Gorin, Harrison, Hickman, Lackey, Mountjoy, Perrin, Pickett, Roper, Southgate, Throckmorton, Turner, Ward, Weir, White, Wood and Worthington.

The said bill was then further amended at the clerk's table and read a third time.

And the question being taken on the passage thereof, as amended, it was resolved in the affirmative—Yeas 27, Nays 8.

The yeas and nays being required thereon by messrs. Jones and Throckmorton, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Clay, Crutcher, Dollerhide, Eve, Ewing, Ford, Gorin, Harrison, Hickman, Lackey, Mountjoy, Perrin, Pickett, Roper, Smith, Southgate Throckmorton, Turner, Ward, Weir, White, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Davidson, Faulkner, Flournoy, Given, Jones, Marshall, Owens and Pope.

*Resolved*, That the said bill as amended do pass, and that Mr Bowmar inform the house of representatives thereof and request their concurrence in the amendments.

A bill from the house of representatives entitled an act to authorize the establishing of private passways, was taken up and read a third time.

*Resolved*, That the said bill do pass, and that Mr. Bowmar inform the house of representatives thereof.

Leave was given Mr. Pope to report a bill authorising the appointment of auctioneers, and for other purposes.

Which was read the first time.

And the rule being dispensed with, it was read a second time, and committed to messrs. Pope, Crutcher and Southgate.

Bills from the house of representatives of the following titles, to-wit :

1. An act for classing tobacco in this commonwealth, and for other purposes ; 2. an act for the benefit of the widow and heirs of Wm. Lewis, dec'd. ; and 3. an act to amend an act for the relief of insolvent debtors, approved, 14th February, 1820, and for other purposes.

Were severally read a second time.

And the rule being dispensed with, the first bill was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Pope inform the house of representatives thereof.

The second bill was ordered to be read a third time.

Mr. White moved to lay the third bill on the table until the first day of June next.

And the question being taken thereon, it was resolved in the negative—Yeas 11, Nays 21.

The yeas and nays being required thereon, by messrs. Faulkner and Southgate, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Briscoe, Ewing, Flournoy, Gorin, Lackey, Marshall, Owens, Perrin, Southgate, Ward and White.

Those who voted in the negative are—messrs. Anderson, Barbee, Clay, Davidson, Dollerhide, Faulkner, Ford, Harrison, Hickman, Jones, Mountjoy, Pickett, Pope, Roper, Smith, Throckmorton, Turner, Weir, Williams, Wood and Worthington.

The bill was then committed to messrs. Hickman, Roper, Barbee, Marshall, Flournoy, White and Southgate.

Bills from the house of representatives of the following titles, to-wit :

1. An act repealing in part the act entitled an act providing for the removal of obstructions to the navigation of Floyd's Fork ; 2. an act to incorporate the New Liberty library company ; 3. an act for the benefit of the Breckinridge Seminary ; 4. an act for the relief of Braxton B. Winn ; 5. an act for the benefit of Betsey Horton ; 6. an act to establish the Lindley Academy in Henry county, and incorporate trustees to that institution ; 7. an act for surveying the military claims west of the Tennessee river ; 8. an act for the benefit of the heirs of Morgan Pitcher, dec'd. and 9. an act for the benefit of the heirs of Lewis Young, deceased.

Were severally read the first time.

And the rule being dispensed with, they were read a second time, and the six former read a third time.

*Resolved*, That the six former bills do pass, and that the clerk inform the house of representatives thereof.

The residue were committed to the committee for courts of justice.

A message from the house of representatives by Mr. Calhoun :

*Mr. Speaker*,

The house of representatives have passed a bill from the senate entitled an act to establish seminaries of learning in the counties of Monroe, Grant, Todd and Trigg, with amendments ; in which they request the concurrence of the senate.

And then he withdrew.

The amendments were taken up and concurred in.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

And then the senate adjourned.

#### TUESDAY, DECEMBER 12, 1820.

The senate assembled.

The following bills were reported from the several committees appointed to prepare and bring in the same, to wit :

By Mr. Turner—a bill to authorize the publication of certain advertisements in the Christian Advocate, printed in Bowlinggreen.

And by Mr. Bowmar—a bill to establish the Francis Peart college.

Which were severally read the first time and ordered to be read a second time.

And the rule being dispensed with, the former bill was read a second and third time, (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be "an act to authorize the publication of certain advertisements in the Christian Advocate, printed in Bowlinggreen.

*Ordered*, That Mr. Turner do carry said bill to the house of representatives, and request their concurrence.

Mr. Crutcher from the select committee to whom was referred a bill more effectually to prevent masters or owners

of slaves from suffering them to hire themselves, reported the same with amendments.

Which were concurred in.

And the bill ordered to be re-engrossed and read again.

A bill allowing an appropriation for the improvement of the navigation of Salt river.

Was read a second time and laid on the table.

The nominations of the 9th inst. weretaken up and read as follows, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following persons to be commissioned during good behaviour, to-wit :

Nathaniel Burruss, col. of the 102d regiment, lately formed.

John Mann, lieut. col. of the same regiment.

James L. Glenn, major of the same regiment.

JOHN ADAIR.

December, 9th, 1820.

*Resolved*, That the senate advise and consent to said appointments.

*Ordered*, That messrs. Turner and Ewing inform the governor thereof.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Lackey in the chair ; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lackey reported, that the committee had according to order, had under consideration, an engrossed bill to amend an act providing a summary mode of recovering debts, a bill concerning the prison bounds, and a bill for erecting a state Hospital, and had gone through the same with amendments to the two latter ; which he handed in at the clerk's table.

The first bill was again read as follows, to wit :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the above recited act, directing summons upon petition to be made returnable, and docketed to the third day of the term to which they are made returnable, shall be, and the same is hereby repealed ; and hereafter all summons issued upon petitions, shall be made returnable to the first day of the term to which it is made returnable, and docketed as other common law cases.



§ 2. *Be it further enacted*, That this act shall take effect, and be in force from and after the first day of February next.

And the question being taken on the passage thereof, it was resolved in the negative—Yeas 17, Nays 18.

The yeas and nays being required thereon by messrs. Jones, and Pope, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Eve, Ewing, Ford, Given, Gorin, Hickman, Marshall, Mountjoy, Owens, Perrin, Pickett, Pope, Smith, Southgate, Ward and White.

Those who voted in the negative are—messrs. Barbee, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Faulkner, Flournoy, Harrison, Jones, Roper, Slaughter, Throckmorton, Turner, Weir, Williams, Wood and Worthington.

And so the said bill was rejected.

The amendment to the second bill, which proposes to extend the prison bounds to the limits of the different counties, was read.

And the question being taken upon concurring therein, it was resolved in the affirmative—Yeas 20, Nays 15.

The yeas and nays being required thereon by messrs. Faulkner and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Ewing, Flournoy, Gorin, Hickman, Marshall, Mountjoy, Owens, Perrin, Pickett, Slaughter, Smith, Southgate, Ward, Weir, White, Williams and Wood.

Those who voted in the negative are—messrs. Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Ford, Given, Harrison, Jones, Pope, Roper, Throckmorton, Turner, and Worthington.

The bill was then ordered to be engrossed and read a third time.

The amendments to the third bill were concurred in with an amendment.

And the question being taken on engrossing and reading the said bill a third time, it was resolved in the affirmative—Yeas 19, Nays 16.

The yeas and nays being required thereon, by messrs. Faulkner and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Crutcher, Ewing, Flournoy, Hickman,

Marshall, Owens, Perrin, Pickett, Pope, Roper, Slaughter, Smith, Southgate, Ward, White and Williams.

Those who voted in the negative are—messrs. Clay, Davidson, Dollerhide, Eve, Faulkner, Ford, Given, Gorin, Harrison, Jones, Mountjoy, Throckmorton, Turner, Weir, Wood and Worthington.

A bill from the house of representatives entitled an act for the benefit of the widow and heirs of William Lewis, deceased.

Was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Slaughter inform the house of representatives thereof.

A message from the house of representatives by Mr. Todd :

*Mr. Speaker*,

The house of representatives concur in the resolution from the senate, fixing on a day for the election of a president and directors to the Bank of the commonwealth, with an amendment; in which they request the concurrence of the senate.

And then he withdrew.

The amendment was taken up and concurred in.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

A message from the house of representatives by Mr. Brents :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act supplementary to an act to establish the Bank of the Commonwealth of Kentucky; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time.

And the rule being dispensed with, it was read a second time, and committed to a committee of the whole house on the state of the commonwealth.

A message from the house of representatives by Mr. T. P. Moore :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act to add a part of the county of Casey to the county of Mercer; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time.

And the rule being dispensed with, it was read a second time and laid on the table.

The senate received from the governor by the secretary of state, a message in writing, covering a communication from the executive of Vermont.

On the motion of Mr. White, leave was given to bring in a bill for the benefit of the sheriff of Henry county.

And messrs. White, Hickman and Throckmorton, were appointed a committee to prepare and bring it in.

And after some time Mr. White reported a bill which was read the first time.

And the rule being dispensed with, it was read a second time, and ordered to be engrossed and read a third time.

And then the senate adjourned.

### WEDNESDAY, DECEMBER, 13, 1820.

The senate assembled.

Mr Barbee from the joint committee of enrolments, reported, that they had examined sundry enrolled bills and an enrolled resolution, of the following titles to-wit :

An act for the benefit of the Breckinridge Seminary.

An act for classing tobacco in this commonwealth, and for other purposes.

An act for the relief of Braxton B. Winn.

An act for the benefit of Thomas Robertson of Henry county.

An act to amend the act to reduce into one the several acts, concerning wills, &c. and to repeal in part and amend the act entitled an act to amend the several acts regulating conveyances.

An act to authorize the service of procees by coroners in certain cases.

An act to authorize the establishing of private passways.

An act allowing an additional number of justices of the peace in certain counties.

An act repealing in part the act entitled an act providing for the removal of obstructions to the navigation of Floyd's Fork.

An act for the benefit of Betsey Horton.

An act for the benefit of the citizens of the town of Mount sterling.

An act for the benefit of Thomas Mahan.

An act to repeal in part an act declaring Nolin navigable.

An act for the benefit of the stockholders of the late independent banks.

An act for the benefit of the heirs of John Radford.

An act to establish election precincts in Floyd, Harlan and Bath counties.

An act for the benefit of the heirs of John Green.

An act for the divorce of Cynthia Carson.

An act to establish seminaries of learning in the counties of Monroe, Grant, Todd, Trigg, Ohio and Daviess.

An act to suspend the power vested in the governor and treasurer, to subscribe on the part of the state for shares in the bank of Kentucky.

An act to amend an act entitled an act authorising certain justices of the county courts to grant injunctions, writs of ne exeat and habeas corpus, approved, February 4, 1818.

An act for the establishment of a road from Frankfort to the Ohio river opposite the town of Neville.

A resolution fixing on a day for the election of a president and directors to the bank of the commonwealth.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills and an enrolled resolution, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills and resolution, being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee reported that they had performed that duty.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration, a petition to them referred, of sundry citizens of Caldwell county, praying the formation of a new county out of a part of said county, and have come to the following resolution thereupon, to-wit :

*Resolved, That the said petition be rejected.*



Which was twice read and concurred in.

Mr. Roper from the committee for courts of justice, made the following report, to-wit :

The committee for courts of justice, have according to order, had under consideration, a bill from the house of representatives to them referred, entitled " an act for the benefit of the heirs of Lewis Young, dec'd. and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said bill ought to pass.

Which was twice read, concurred in, and the bill read a third time.

*Resolved*, That the said bill do pass, and that Mr. Bowmar inform the house of representatives thereof.

Mr. Roper from the committee for courts of justice, to whom was referred a bill from the house of representatives, entitled an act for the benefit of Cornelius Philips, reported the same with an amendment.

Which was concurred in, and the bill re-committed to said committee.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker*,

The house of representatives concur in the first amendment made by the senate, to a bill entitled an act to amend an act entitled an act to amend an act concerning occupying claimants of land ; they disagree to the second, and concur in the third, with an amendment ; in which they request the concurrence of the senate.

And then he withdrew.

The amendments were taken up and again read.

*Resolved*, That the senate insist on their second amendment, and concur in the amendment proposed by the house of representatives, upon concurring in their third amendment.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

A bill from the house of representatives entitled an act adding a part of Casey to Mercer county, was taken up, amended at the clerk's table, and read a third time.

*Resolved*, That the said bill as amended, do pass, and that the title be amended by adding thereto, the words " and for other purposes."

*Ordered*, That Mr. Owens do carry said bill to the house of representatives, and request their concurrence in the amendments.

Mr. Jones who voted for the rejection of an engrossed bill for the benefit of the heirs of Johnson Ellis, moved to reconsider the vote, which was done.

*Resolved*, That the said bill do pass, and that the title be "an act for the benefit of the heirs of Johnson Ellis."

*Ordered*, That Mr. Turner do carry said bill to the house of representatives and request their concurrence.

Mr. Roper from the committee for courts of justice, to whom was referred a bill from the house of representatives entitled an act to authorize the printing and publishing the map of the land west of the Tennessee river, reported the same with an amendment.

Which was concurred in, and the bill read a third time.

And the question being taken on the passage thereof as amended, it was resolved in the affirmative—Yeas 21, Nays 16.

The yeas and nays being required thereon by messrs. Owens and Perrin, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Bowmar, Crutcher, Davidson, Dollerhide, Eve, Ewing, Faulkner, Flournoy, Ford, Given, Harrison, Lackey, Roper, Slaughter, Smith, Southgate, Turner, Ward, Wood and Worthington.

Those who voted in the negative are—messrs. Barbee, Briscoe, Clay, Gorin, Hickman, Jones, Marshall, Mountjoy, Owens, Perrin, Pickett, Pope, Throckmorton, Weir, White and Williams.

*Resolved*, That the said bill as amended do pass, and that Mr. Slaughter inform the house of representatives thereof, and request their concurrence in the amendment.

Engrossed bills, to-wit :—1. A bill more effectually to prevent masters or owners of slaves from suffering them to hire themselves; 2. a bill for the benefit of the sheriff of Henry county; 3. a bill to establish a state lunatic hospital; and 4. a bill to extend the prison bounds, were severally read a third time.

And the question being taken on the passage of the third bill, it was resolved in the affirmative—Yeas 21, Nays 15.

The yeas and nays being required thereon by messrs. Harrison and Given, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Ewing, Flournoy, Gorin, Hickman, Jones, Marshall, Owens, Perrin, Pickett, Pope, Roper, Slaughter, Smith, Southgate, Ward, White and Williams.

Those who voted in the negative are—messrs. Clay, Davidson, Dollerhide, Eve, Faulkner, Ford, Given, Harrison, Lackey, Mountjoy, Throckmorton, Turner, Weir, Wood and Worthington.

And the question being taken on the passage of the fourth bill, it was resolved in the affirmative—Yeas 21, Nays 16.

The yeas and nays being required thereon by messrs. Faulkner and Given, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Ewing, Flournoy, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Slaughter, Smith, Southgate, Ward, Weir, White, Williams and Wood.

Those who voted in the negative are—messrs. Anderson, Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Ford, Given, Harrison, Jones, Pope, Roper, Throckmorton, Turner, and Worthington.

*Resolved*, That the said bills do pass, and that the titles be respectively, “ an act more effectually to prevent masters or owners of slaves from suffering them to hire themselves ; an act for the benefit of the sheriff of Henry county ; an act to establish a state lunatic hospital, and an act to extend the prison bounds.”

*Ordered*, That Mr. Crutcher do carry the first, and Mr. Bowmar the second and fourth, and Mr. Flournoy the third, to the house of representatives and request their concurrence.

The speaker laid before the senate the petition of sundry citizens of Bourbon county, praying the location of a branch of the Bank of the Commonwealth, at Paris ; and of Hugh Talbot and James McClure, praying the location of a branch at Millersburg.

Which were laid on the table.

A bill to establish the Francis Peart College was read a second time, and committed to the committee for courts of justice.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Crutcher in the chair ; and after sometimes spent therein, Mr. Speaker resumed the chair, and Mr. Crutcher reported, that the committee had according to order, had under consideration, resolutions from the house of representatives, in relation to the purchase of public lands of the United States, and had gone through the same

without amendment ; which he handed in at the clerk's table.

The said resolutions were then read and concurred in as follows, to-wit :

IN THE HOUSE REPRESENTATIVES, }  
NOVEMBER 17, 1820.

WHEREAS many of the citizens of this commonwealth, allured by the prospect of increasing their wealth or procuring a more desirable home for themselves or their posterity which the uninterrupted growth of the western country presented to activity and enterprise, became purchasers of the public lands of the United States under a well founded confidence that the earnings of honest labor, the profits of fair trade or the sale of their other property, would speedily enable them to fulfil their engagements to the public : Whereas the unexpected depression in the price of labor and of property, the stagnation of trade, and the derangement of the local currency in the western states rendering it unfit for the payment of dues at the several land offices, have darkened the fairest prospects, deprived the public debtors of the power to fulfil engagements made in good faith and thrown upon them and their country an accumulated load of debt and distress which no foresight could avert and no exertion can remove : Whereas, in addition to all these events, the congress of the United States have by the act of April, 1820, reducing the price of public lands, deprived the debtors of their last resource and rendered them unable to sell any part of their purchases and thereby raise the means to fulfil their engagements : By which events and act, the said purchasers are in danger not only of forfeiting their whole purchases, but of losing the money already paid, and are reduced to the humble necessity of resigning themselves to their fate or soliciting indulgence for an indefinite period at the hand of their government, with expence to themselves and injury to their country : And whereas, it is not the interest or policy of a free government to push the citizen beyond his ability nor rigidly exact a forfeiture of his property when such penalty is neither merited by any wilful delinquency nor useful in affording a salutary public example, it is, in the opinion of this general assembly, the duty of the congress of the United States, as it is within their power, to relieve the purchasers of public lands from this oppressive debt on terms equitable to them and just to the government :--  
Wherefore,



*Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky,* That our senators in congress be instructed, and our representatives requested to use their exertions to procure the passage of a law permitting the purchasers of public lands at private sale to apply the instalments already paid to the payment in full for such portion of their purchases as such instalments may be adequate to pay for, at the price of two dollars per acre, and to relinquish the balance of their purchases to the United States.

*Resolved,* That the governor of this commonwealth be, and he is hereby requested to forward a copy of the foregoing preamble and resolution to each of our senators and representatives in the congress of the United States.

*Resolved,* That our senators and representatives in congress be, and they are hereby requested to present the foregoing preamble and resolution to the senate and house of representatives of which they are members.

Extract, &c.

Att.

R. S. TODD, C. H. R.

*Ordered,* That Mr. Pope inform the house of representatives thereof.

And then the senate adjourned.

THURSDAY, DECEMBER 14, 1820.

The senate assembled.

Mr. Roper from the committee for courts of justice, made the following report, viz.

The committee for courts of justice have according to order, had under consideration, a bill from the house of representatives to them referred, entitled "an act for the benefit of Cornelius Philips," and have come to the following resolution thereupon, viz.

*Resolved,* That the said bill ought not to pass.

Also, the petition of William C. Ralls, praying the passage of a law declaring the authentication of a deed from John Fristoe and Frances, his wife, to Horeb Ralls, dec'd. for two thousand one hundred and fifty acres of land in Montgomery county, sufficient to pass the title to said land, be rejected.

Which were twice read and concurred in.

And the question being taken on reading the bill a third time, it was resolved in the negative.

And so the said bill was rejected.

*Ordered*, That Mr. Slaughter inform the house of representatives thereof.

On the motion of Mr. Slaughter, leave was given him to report a bill for the benefit of Wm. W. and George W. Whitaker.

Which was read the first time.

And the rule being dispensed with, it was read a second and third time. (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be "an act for the benefit of Wm. W. and George W. Whitaker."

*Ordered*, That Mr. Slaughter do carry said bill to the house of representatives, and request their concurrence.

A message from the house of representatives by Mr. Love :

*Mr. Speaker*.

The house of representatives have passed a bill from the senate, entitled an act supplemental to an act forming the county of Perry with amendments ; in which they request the concurrence of the senate.

And then he withdrew.

The amendments were taken up and concurred in with amendments.

*Ordered*, That Mr. Lackey inform the house of representatives thereof, and request their concurrence in the amendments.

The senate received information by the secretary of state, that the governor did on yesterday, approve and sign sundry enrolled bills and an enrolled resolution of the following titles, to-wit :

An act to suspend the power vested in the governor and treasurer to subscribe on the part of the state for shares in the bank of Kentucky.

An act to amend an act entitled an act authorising certain justices of the county courts to grant injunctions, writs of ne exeat and habeas corpus, approved, February 4, 1818.

An act to establish seminaries of learning in the counties of Monroe, Grant, Todd, Trigg, Ohio and Daviess.

An act for the divorce of Cynthia Carson.

An act for the benefit of the heirs of John Green.

An act to establish election precincts in Floyd, Harlan and Bath counties.

An act for the establishment of a road from Frankfort to the Ohio river, opposite the town of Neville.

An act for the benefit of the stockholders of the late independent banks.

An act for the benefit of the heirs of John Radford.

An act to repeal in part the act declaring Nolin navigable.

An act for the benefit of Thomas Mahan.

A resolution fixing on a day for the election of a president and directors to the bank of the commonwealth.

December 3d, 1820.

*Ordered.* That the clerk inform the house of representatives thereof.

*Ordered.* That Mr. Ewing inform the house of representatives that the senate are now ready to proceed by a joint vote, to the election of a president and twelve directors to the Bank of the Commonwealth of Kentucky; and that John J. Crittenden stands in nomination for president; and Willis Field, John Buford, George B. Knight, James Bartlett, Amos Kendall, Isaac Caldwell, Richard Taylor, Jephthah Dudley, Jacob Swigert, Joseph Smith, Lyddall Wilkinson, Jacob Castleman, Mann Butler, Porter Clay, Francis P. Blair, Joseph Scott, Benjamin Branham, Thomas L. Butler, Charles Julian, Matthew Clarke, James I. Miles, Silas M. Noel, Jacob Creath, Allen F. Macurdy, Joseph Roberts, Preston W. Brown, Samuel B. Crockett, Stanley P. Gower, John W. Wooldridge, Samuel South, William Starling, jr. and James Wight, are in nomination for directors.

A message from the house of representatives by Mr. M'Kee:

*Mr. Speaker,*

The house of representatives are now ready to proceed by a joint vote, to the election of a president and directors to the Bank of the Commonwealth of Kentucky, and the same persons stand in nomination for the respective offices as reported from the senate, with the addition of Henry Davidge, as a director.

And then he withdrew.

The senate then proceeded in said election.

And messrs. Bowmar and Jones were appointed a committee to meet a committee from the house of representatives to compare the joint vote and report the result.

The committee retired, and after some time returned, and Mr. Bowmar reported, that John J. Crittenden was elected president, and that the joint vote for directors stood thus:

Knight 108, Field 100, Bartlett 88, Dudley 94, Buford 88, Crockett 80, Blair 74, T. L. Butler 74, Scott 70, Kendall 69, Swigert 68, Caldwell 58, Castleman 62, Smith 57, South 54, Wilkinson 51, Clay 39, Noel 45, Taylor 38, Brown 39, Julian 30, Miles 32, Creath 28, Macurdy 24, Wooldridge 26, M. Butler 22, Roberts 20, Clarke 10, Gower 18, Starling 18, Davidge 14, Wight 7, and Branham 12.

Whereupon, Mr. John J. Crittenden was declared duly elected president, and messrs. Knight, Field, Bartlett, Dudley, Buford, Crockett, Blair, T. L. Butler, Scott, Kendall and Swigert, directors.

In pursuance of the rule, the hindmost candidate being dropt, the senate took a second vote, and the same committee were appointed to co-operate with a committee from the house of representatives to examine and report the state of the joint vote, who retired to perform that duty.

And then the senate adjourned.

#### FRIDAY, DECEMBER 15, 1820.

The senate assembled.

A message from the house of representatives by Mr. Cravens :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the relief of Ann Mitchell and others ; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time.

And the rule being dispensed with, it was read a second and third time.

*Resolved,* That the said bill do pass, and that Mr. Ewing inform the house of representatives thereof.

Mr. Bowmar from the committee appointed to meet the committee from the house of representatives to compare the second vote for a director to the Bank of the Commonwealth of Kentucky ; reported that the joint vote stood thus :

For Isaac Caldwell 39, Joseph Smith 25, Jacob Castleman 17, Samuel South 11, and Lyddall Wilkinson 36.

The nominations of messrs. South and Castleman being withdrawn, the senate proceeded to take a third vote.

The committee again retired, and after some time Mr. Bowmar reported that the joint vote stood thus :

For Caldwell 50, Wilkinson 45, and Smith 35.



Mr. Smith having the smallest number of votes was dropt. The senate proceeded to take a fourth vote.

The committee again retired, and after some time Mr. Bowmar reported that the joint vote stood thus :

For Mr. Caldwell,	65
Mr. Wilkinson,	64

Whereupon, Mr. Caldwell was declared duly elected director of the Bank of the commonwealth of Kentucky.

Mr. Hickman moved a preamble and resolution respecting the powers of the lieut. governor to vote in elections by the legislature.

Mr. White moved an amendment to said resolution.

Mr. Owens moved a preamble and resolution on the same subject ; and they were committed to a committee of the whole house on the state of the commonwealth, for Tuesday next.

*Ordered*, That the public printers forthwith print 150 copies of said preamble and resolutions, for the use of the members of the senate.

Mr. Roper from the committee for courts of justice, to whom was referred a bill from the house of representatives entitled an act for surveying the military claims west of the Tennessee river, reported the same with amendments.

Which were read and concurred in.

*Ordered*, That the public printers forthwith print 150 copies of said bill as amended, for the use of the members of the senate.

And then the senate adjourned.

#### SATURDAY, DECEMBER 16, 1820.

The senate assembled.

Mr. Anderson presented the petition of Barrack Austin, praying a divorce ; but no notice accompanying the same, it was declared out of order, and the petition rejected.

Mr. Faulkner from the committee of privileges and elections, made the following report, to-wit :

The committee of privileges and elections, have according to order, had under consideration, the sheriffs' returns from the several senatorial districts, and do report the following gentlemen elected :

1. William R. Weir, from the second senatorial district, composed of the counties of Union, Henderson and Hopkins.

2. Cornelius Turner, from the sixth senatorial district, composed of the counties of Warren and Allen, in the place of Francis Johnson, resigned.

3. John Gorin, from the seventh senatorial district, composed of the county of Barren.

4. William Owens, from the eighth senatorial district, composed of the counties of Adair and Casey.

5. Thomas Dollerhide, from the tenth senatorial district, composed of the county of Pulaski.

6. Nathan D. Anderson, from the eleventh senatorial district, composed of the counties of Ohio, Daviess and Breckinridge.

7. James Crutcher, from the twelfth senatorial district, composed of the counties of Hardin and Bullitt.

8. Elias Barbee, from the 13th senatorial district, composed of the counties of Green and Hart.

9. Jeremiah Briscoe, from the 19th senatorial district composed of the county of Mercer, in the place of John L. Bridges, resigned.

10. John Faulkner, from the 20th senatorial district, composed of the county of Garrard.

11. John J. Marshall, from the 26th senatorial district, composed of the counties of Franklin and Owen.

12. Herman Bowmar, from the 27th senatorial district, composed of the counties of Woodford and Jessamine, in the place of Wm. B. Blackburn, resigned.

13. Matthews Flournoy, from the 28th senatorial district, composed of the county of Fayette, in the place of Wm. T. Barry, resigned.

14. Samuel L. Williams, from the 30th senatorial district, composed of the counties of Montgomery and Estill.

15. Thompson Ward, from the 32d senatorial district, composed of the counties of Greenup and Lewis.

16. Thomas Throckmorton, from the 35th senatorial district, composed of the counties of Nicholas and Bracken.

17. Henry Clay, from the 37th senatorial district, composed of the county of Bourbon, in the place of Jesse Bledsoe, resigned.

18. Rodes Smith, from the 38th senatorial district, composed of the county of Scott.

19. William Mountjoy, from the 24th senatorial district, composed of the counties of Gallatin, Grant and Pendleton, in the place of Henry Davidge, resigned.

The committee further report, that the following gentlemen's term of service will expire in August next, to-wit :

20. Dickson Given, from the 1st senatorial district, composed of the counties of Caldwell and Livingston.

Henry Clay, from the 37th senatorial district, composed of the county of Bourbon.

21. William Wood, from the 9th senatorial district, composed of Cumberland, Wayne and part of Monroe.

Cornelius Turner, from the 6th senatorial district, composed of the counties of Warren and Allen.

Jeremiah Briscoe, from the 19th senatorial district, composed of the county of Mercer.

22. Thomas G. Harrison, from the 16th senatorial district, composed of the county of Washington.

Matthews Flournoy, from the 23rd senatorial district, composed of the county of Fayette.

23. Joseph Eve, from the 23d senatorial district composed of the counties of Knox, Clay, Whitley and Harlan.

24. Richard Southgate, from the 25th senatorial district, composed of the counties of Boone and Campbell.

Those whose term of service will expire in the year 1822, are as follows, to-wit :

Herman Bowmar, from the 27th senatorial district, composed of the counties of Woodford and Jessamine.

William Mountjoy, from the 24th senatorial district composed of the counties of Gallatin, Pendleton and Grant.

25. James Davidson, from the 22d senatorial district, composed of the counties of Lincoln and Rockcastle.

26. James Ford, from the 18th senatorial district, composed of the county of Shelby.

27. Josephus Perrin, from the 36th senatorial district, composed of the county of Harrison.

28. Humphrey Jones, from the 21st senatorial district, composed of the county of Madison.

29. Thomas S. Slaughter, from the 5th senatorial district, composed of the counties of Logan and Simpson.

30. William Worthington, from the 4th senatorial district, composed of the counties of Butler, Grayson and Muhlenburg.

Those whose term of service will expire in the year 1823, are as follows, to-wit :

31. William P. Roper, from the 34th senatorial district, composed of the county of Fleming.

32. John Pickett, from the 33d senatorial district, composed of the county of Mason.

33. Richard Hickman, from the 29th senatorial district, composed of the county of Clarke.

34. Alexander Lackey, from the 31st senatorial district, composed of the counties of Bath and Floyd.

35. Alexander Pope, from the 14th senatorial district, composed of the county of Jefferson.

36. Young Ewing, from the 3d senatorial district composed of the counties of Christian and Todd.

37. Samuel M'Lean, from the 15th senatorial district, composed of the county of Nelson.

38. David White, from the 17th senatorial district, composed of the county of Henry.

Thompson Ward, and Thomas Throckmorton, by lot, have been attached to the 2d class, and their term of service will expire in the year 1822.

John J. Marshall, and Elias Barbee, by lot, have been attached to the 4th class, and their term of service will expire in the year 1824.

Which was twice read and concurred in.

Mr Barbee from the joint committee of enrolments, reported, that they had examined sundry enrolled bills and an enrolled resolution, of the following titles to-wit :

Resolutions in relation to the purchase of public lands of the U. States.

An act for the benefit of the widow and heirs of Wm. Lewis, dec'd.

An act for the benefit of the heirs of Lewis Young, deceased.

An act for the relief of Ann Mitchell and others.

An act to incorporate the New-Liberty library company.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills and an enrolled resolution, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills and resolution, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee reported that they had performed that duty.



A message from the house of representatives by Mr. Scott :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to add a part of Gallatin county to the county of Boone; in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time.

And the rule being dispensed with, it was read a second time, and committed to the committee of propositions and grievances.

A message from the house of representatives by Mr. King :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the relief of the heirs of William Long, dec'd. in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time.

And the rule being dispensed with, it was read a second and third time.

*Resolved*, That the said bill do pass, and that Mr. Williams inform the house of representatives thereof.

Mr. Dollerhide from the committee of Religion, made the following report, to-wit :

The committee of religion have according to order, had under consideration, a bill from the house of representatives, to them referred, entitled "an act for the divorce of Betsey Craig, Polly Stewart and Martha Dunlavy," and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said bill ought to pass.

And the question being taken on concurring in the resolution, it was resolved in the affirmative—Yeas 25, Nays 11.

The yeas and nays being required thereon by messrs. Owens and Throckmorton, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Briscoe, Clay, Davidson, Dollerhide, Ewing, Faulkner, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, M'Lean, Mountjoy, Pickett, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Crutcher, Eve, Flournoy, Owens, Perrin, Roper, White and Wood.

The said bill was then read a third time.

And the question being taken on the passage thereof, it was resolved in the affirmative—Yeas 24, Nays 12.

The yeas and nays being required thereon, by messrs. Owens and Turner, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Briscoe, Clay, Davidson, Dollerhide, Ewing, Faulkner, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, M'Lean, Mountjoy, Slaughter, Smith, Throckmorton, Turner, Ward, Weir, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Crutcher, Eve, Flournoy, Owens, Perrin, Pickett, Roper, White and Wood.

*Resolved*, That the said bill do pass, and that Mr. Williams inform the house of representatives thereof.

Mr. Pope from the select committee to whom was referred, a bill authorising the appointment of auctioneers, and for other purposes reported the same with an amendment, and they were laid on the table.

Mr. Roper from the committee for courts of justice, made the following report, viz.

The committee for courts of justice have according to order, had under consideration, “ a bill to establish the Francis Peart College,” and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said bill ought not to pass.

Which being read was concurred in.

And the question being taken on engrossing and reading said bill a third time, it was resolved in the negative.

And so the said bill was rejected.

Mr. Roper from the committee for courts of justice, to whom was referred a bill from the house of representatives, entitled an act for the benefit of the heirs of Morgan Pitcher, dec'd. reported the same with an amendment.

Which was twice read, concurred in, and the bill read a third time.

*Resolved*, That the said bill as amended do pass, and that Mr. Williams carry said bill to the house of representatives, and request their concurrence.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker*,

The house of representatives have passed bills from the senate of the following titles, to-wit :

An act for the benefit of Benjamin Bridges, and an act for the benefit of John A. Markley.

And then he withdrew.

On the motion of Mr. Marshall, leave was given to bring in a bill to authorise the president and directors of the bank of Kentucky to receive real estate from the debtors to said bank.

And messrs. Marshall, Roper and Southgate, were appointed a committee to prepare and bring it in.

On the motion of Mr. Ward, leave was given him to report a bill to reduce the county levy of Greenup county, for the year 1821.

Which was read the first time.

And the rule being dispensed with, it was read a second time, and committed to messrs. Roper, Ward and Mountjoy.

On motion of Mr. Gorin,

*Ordered.* That the committee of the whole house on the state of the commonwealth, be discharged from the further consideration of a bill from the house of representatives, entitled an act supplementary to the act establishing the Bank of the Commonwealth of Kentucky.

Mr. Roper moved to reconsider a vote rejecting a bill from the house of representatives, entitled an act for the divorce of sundry persons; which was done, and the bill committed to the committee of religion.

Mr. Bowmar moved for leave to bring in a bill for the divorce of Charlotte Harrison; but a notice not being produced agreeably to the law and the rule of the senate, the motion was decided out of order, and the leave refused.

And then the senate adjourned.

#### MONDAY, DECEMBER 13, 1820.

The senate assembled.

A message from the house of representatives by MR. Warfield:

*Mr. Speaker,*

The house of representatives concur in the amendments made by the senate to bills of the following titles, to-wit:

An act to authorise the printing and publishing the map of the land west of the Tennessee river; and an act to add a part of Casey to Mercer county.

And they recede from their disagreement to the second amendment made by the senate to a bill entitled an act to amend an act entitled an act to amend an act, concerning occupying claimants of land; and concur in the same with an amendment; in which they request the concurrence of the senate.

And then he withdrew.

The said amendment was taken up and concurred in.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

Leave was given Mr. Slaughter to report a bill to change the terms of the Logan circuit court.

Which was read the first time.

And the rule being dispensed with, it was read a second and third time, (having been engrossed,)

*Resolved*, That the said bill do pass, and that the title be "an act to change the terms of the Logan circuit court."

*Ordered*, That Mr. Slaughter do carry said bill to the house of representatives and request their concurrence.

A bill from the house of representatives entitled an act supplementary to an act to establish the Bank of the Commonwealth of Kentucky, was taken up.

Mr. White moved the following amendment in lieu of the 1st sec. after the enacting clause, to-wit :

That the seats of the several branch banks provided to be established by the act to which this is a supplement, shall be fixed by the president and directors of the principal bank, as near the centre of population and wealth of each judicial district, as may be consistent with the interest of the institution. And the seats of the said branch banks, when located by their respective names, according to the provisions of this act, shall remain until the legislature, at any time hereafter, shall by law, change the site and name of any of the aforesaid branches: *Provided however*, that no branch bank shall be located at the seat of justice of any county, in which town there is a branch of the bank of the state bank: *Provided*, there is any other county town convenient to the centre of said judicial district.

And the question being taken thereon, it was resolved in the negative—Yeas 5, Nays 28.

The yeas and nays being required thereon, by messrs. White and Crutcher, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Clay, Crutcher, Eve, Given and White.



Those who voted in the negative are—messrs. Anderson, Barbee, Briscoe, Davidson, Dollerhide, Ewing, Faulkner, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, Mountjoy, Perrin, Pickett, Pope, Roper, Slaughter, Smith, Southgate, Throckmorton, Turner, Ward, Weir, Williams, Wood and Worthington.

Mr. Barbee then moved the following in lieu of the first section, after the enacting clause, to-wit :

That this state shall be laid off into thirteen Bank Districts, to-wit :

The counties of Christian, Trigg, Caldwell, Livingston, Union, and Hopkins shall compose the first district, and the branch bank therein shall be in the town of Princeton.

The counties of Todd, Logan, Warren, Simpson, Butler, and Allen shall compose the second, and the branch bank therein shall be in the town of Bowling Green.

The counties of Daviess, Muhlenburg, Ohio, Grayson, Breckinridge, Hardin, and Henderson shall compose the third, and the branch bank therein shall be in the town of Hardinsburg.

The counties of Hart, Barren, Monroe, Cumberland, Adair and Green shall compose the fourth, and the seat of the branch bank therein shall be in the town of Greensburg.

The counties of Jefferson, Bullitt, and Nelson shall compose the fifth, and the seat of the branch bank therein shall be in the town of Louisville.

The counties of Shelby, Henry, Franklin, Woodford, Owen and Gallatin, shall compose the sixth, which is the seat of the principal bank.

The counties of Washington, Mercer, Lincoln, Casey and Garrard shall compose the seventh, and the seat of the branch bank therein shall be in the town of Harrodsburg.

The counties of Wayne, Pulaski, Whitley, Knox, Clay, Perry and Rockcastle, shall compose the eighth, and the seat of the branch bank therein shall be in the town of Somerset.

The counties of Campbell, Boone, Pendleton, Grant, Harrison and Bracken, shall compose the ninth, and the seat of the branch bank therein shall be in the town of Newport.

The counties of Madison, Bourbon, Clarke and Estill, shall compose the tenth, and the seat of the branch bank therein, shall be in the town of Winchester.

The counties of Fayette, Jessamine and Scott, shall compose the eleventh, and the seat of the branch bank therein, shall be in the town of Lexington.

The counties of Bath, Montgomery, Floyd and Greenup, shall compose the twelfth, and the seat of the branch bank therein, shall be in the town of Owingsville.

The counties of Mason, Lewis, Fleming and Nicholas, shall compose the thirteenth, and the branch bank therein, shall be in the town of Flemingsburg.

And the question being taken thereon, it was resolved in the negative—Yeas 10, Nays 23.

The yeas and nays being required thereon, by messrs. Barbee and Ewing, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Barbee, Briscoe, Given, Marshall, Slaughter, Southgate, Turner, Ward, and Wood.

Those who voted in the negative are—messrs. Clay, Crutcher, Davidson, Dollerhide, Eve, Ewing, Faulkner, Gorin, Harrison, Hickman, Jones, Lackey, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Throckmorton, Weir, White, Williams, and Worthington.

Mr. Barbee moved to strike out the first branch of the sixth section of the bill, which was read as follows, to-wit:

The President and Directors of the principal bank, may issue notes to a larger amount than is provided by the 36th section of the act to which this is a supplement, before the next session of the legislature: *Provided*, a majority of directors elected concur therein: *And provided* that the amount issued before the next session, shall not on any pretence exceed the amount of three millions of dollars.

And the question being taken thereon, it was resolved in the negative—Yeas 15, Nays 19.

The yeas and nays being required thereon, by messrs. Faulkner and Barbee, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Barbee, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Harrison, Jones, M'Lean, Pope, Throckmorton, Williams, and Wood.

Those who voted in the negative are—messrs. Anderson, Ewing, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Roper, Slaughter, Southgate, Turner, Ward, Weir, White and Worthington.

The bill was then amended at the clerk's table, and read a third time.

The first blank in the first section as amended, being the place of location of the branch in the first judicial district, was filled with "Flemingsburg."

Mr. Perrin then moved to fill the next blank, the location of the branch in the second judicial district, with "Cynthianna," and Mr. Southgate moved to fill it with "Falmouth."

The question was first taken on filling it with Cynthianna, and it was resolved in the negative—Yeas 17, Nays 20.

The yeas and nays being required thereon, by messrs. Southgate and Throckmorton, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Bowmar, Briscoe, Davidson, Eve, Lackey, Owens, Perrin, Pickett, Pope, Roper, Slaughter, Throckmorton, Turner, Ward, Weir, and Williams.

Those who voted in the negative are—messrs. Barbee, Clay, Crutcher, Ewing, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, Marshall, M'Lean, Mountjoy, Smith, Southgate, White, Wood and Worthington.

The blank was then filled with "Falmouth."

Mr. Flournoy then moved to fill the next blank, the location of the branch in the third judicial district with "Lexington", and Mr. Smith moved to fill it with "Georgetown."

And the question being first taken on filling it with Lexington, it was resolved in the affirmative—Yeas 18, Nays 18.

The yeas and nays being required thereon by messrs. Flournoy and Smith, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Bowmar, Clay, Davidson, Faulkner, Flournoy, Ford, Given, Harrison, Hickman, Marshall, M'Lean, Pope, Roper, Slaughter, Southgate, Ward, and Williams.

Those who voted in the negative are—messrs. Barbee, Briscoe, Crutcher, Eve, Ewing, Gorin, Jones, Mountjoy, Owens, Perrin, Pickett, Smith, Throckmorton, Turner, Weir, White, Wood and Worthington.

Whereupon the speaker voted in the affirmative.

Mr. Pope then moved to fill the next blank, the location in the fifth judicial district with "Louisville," and Mr. Crutcher moved to fill it with "Elizabethtown" or "Shepherdsville," and Mr. M'Lean moved to fill it with "Bardstown."

The question was first taken on filling it with Louisville, and it was resolved in the negative—Yeas 16, Nays 20.

The yeas and nays being required thereon by messrs. Pope and Crutcher, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar,

Davidson, Faulkner, Flournoy, Ford, Given, Hickman, Jones, Marshall, Perrin, Pope, Roper, Throckmorton, Ward, Weir, and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Briscoe, Clay, Crutcher, Eve, Ewing, Gorin, Harrison, M'Lean, Mountjoy, Owens, Pickett, Slaughter, Smith, Southgate, Turner, White, Wood and Worthington.

The question was then taken on filling the blank with "Elizabethtown," and it was also resolved in the negative—Yeas 14, Nays 22.

The yeas and nays being required thereon by messrs. Crutcher and M'Lean, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Crutcher, Eve, Given, Harrison, Jones, Mountjoy, Owens, Roper, Slaughter, Smith, Southgate, Turner, Weir and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Clay, Davidson, Ewing, Faulkner, Flournoy, Ford, Gorin, Hickman, Marshall, M'Lean, Perrin, Pickett, Pope, Throckmorton, Ward, White, Williams, and Wood.

The question was then taken on filling it with "Shepherdsville," and it was resolved in the affirmative—Yeas 23, Nays 13.

The yeas and nays being required thereon by messrs. Crutcher and Perrin, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Briscoe, Clay, Crutcher, Eve, Ewing, Ford, Given, Gorin, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Smith, Southgate, Turner, White, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Bowmar, Davidson, Faulkner, Flournoy, Harrison, Hickman, Jones, Marshall, M'Lean, Slaughter, Throckmorton, Ward and Weir.

Mr. Marshall from the committee raised for that purpose, reported a bill authorising the President and directors of the Bank of Kentucky to receive real estate from their debtors ; which was read the first time and ordered to be read a second time.

The senate received from the governor by Mr. Anderson, a message in writing containing a nomination.



A message from the house of representatives by Mr. Bray :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the benefit of the representatives of Samuel Beall, dec'd. in which they request the concurrence of the senate.

And then he withdrew.

A message from the house of representatives by Mr. M'Kee :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act authorising William A. Fry and others to erect a bridge across the Kentucky river, and for other purposes ; in which they request the concurrence of the senate.

And then he withdrew.

Mr Barbee from the joint committee of enrolments, reported, that they had examined sundry enrolled bills of the following titles, to-wit :

An act for the divorce of Betsey Craig, Polly Stuart and Martha Dunlavy.

An act to amend an act entitled an act to amend an act concerning occupying claimants of land.

An act to establish the Lindley Academy in Henry county, and incorporate trustees to that institution.

An act for the relief of the heirs of William Long deceased.

An act to authorise the printing and publishing the Map of the lands west of the Tennessee river.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills, being the same reported to day by Mr. Barbee, and they were delivered to the joint committee of enrolments to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee reported that they had performed that duty.

And then the senate adjourned.

TUESDAY, DECEMBER 19, 1820.

The senate assembled.

A message from the house of representatives by Mr. Todd their Secretary :

*Mr. Speaker,*

The house of representatives have received official information that the governor did on the 16th instant approve and sign sundry enrolled bills and an enrolled resolution which originated in the house of representatives of the following titles, to-wit :

An act for the relief of Ann Mitchell.

An act to incorporate the New-Liberty library company.

An act for the benefit of the widow and heirs of Wm. Lewis, dec'd.

An act for the benefit of the heirs of Lewis Young, deceased.

Resolutions in relation to the purchase of public lands of the U. States.

They concur in the amendment proposed by the senate upon concurring in those proposed by the house of representatives to a bill entitled an act, supplemental to an act, forming the county of Perry; they disagree to a bill from the senate entitled an act for the benefit of Elijah King; and they have passed bills from the senate of the following titles, to-wit :

An act to authorise the secretary of state to furnish the department of state for the United States, with a complete edition of the laws of this commonwealth.

An act to amend the act entitled an act to provide for the further publication of the decisions of the court of Appeals.

An act to prevent the circulation of private notes.

An act for the benefit of William W. and George W. Whitaker.

An act providing for the collection of the revenue of Harlan county for the year 1819.

An act for transcribing certain surveys on treasury warrants in Green county.

An act for the benefit of the heirs of Johnson Ellis.

An act authorising the trustees of Hardin Academy to sell their donation lands.

An act for the benefit of poor widows.

An act appointing persons to view a way for a road from Danville to the Tennessee line.

An act to authorise the publication of certain advertisements in the Christian Advocate printed in Bowling Green.

And an act for the benefit of the sheriffs of Greenup and Lewis counties ; with amendments to the five latter bills, in which they request the concurrence of the senate.

And then he withdrew.

The amendments to the four former bills were severally taken up and concurred in.

*Ordered*, That Mr. Crutcher inform the house of representatives thereof.

The latter bill with the amendments was committed to messrs. Bowmar, White and Ward.

The following bills were reported, to-wit:

By Mr. Given, from the committee appointed for that purpose, a bill to extend the terms of the Caldwell circuit court, and to alter the time of holding certain other courts.

And leave was given Mr. Pope to report a bill for establishing and laying off a town at the Iron Banks.

Which were severally read the first time.

And the rule being dispensed with, they were read a second time, and the former read a third time, (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be "an act to extend the terms of the Caldwell circuit court, and to alter the time of holding certain other circuit courts."

*Ordered*, That Mr. Given do carry said bill to the house of representatives, and request their concurrence.

The latter bill was committed to the committee for courts of justice.

The senate received from the governor by Mr. Anderson, a message in writing, containing certain military nominations.

A message from the house of representatives by Mr. T. P. Moore :

*Mr. Speaker*,

The house of representatives have passed a bill from the senate entitled an act to amend the act appropriating fines and forfeitures for the purpose of promoting education, with amendments ; and they have passed a bill entitled an act for the benefit of Jonathan M'Connell and John M'Kinney ; in which they request the concurrence of the senate.

And then he withdrew.

The consideration of the bill from the house of representatives entitled an act supplementary to an act to establish the of the Commonwealth of Kentucky, was resumed.

Mr. Worthington moved to fill the fifth blank in the first section, being the site of the branch in the sixth judicial district with "Leitchfield," Mr. Weir with "Henderson," Mr. Anderson with "Hartford," and Mr. Slaughter with "Russellville."

The question being taken on the two former motions, and they were negatived.

The question was then taken on filling the blank with "Hartford," and it was resolved in the affirmative—Yeas 24, Nays 14.

The yeas and nays being required thereon by messrs. Anderson and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Bowmar, Briscoe, Clay, Dollerhide, Eve, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Jones, Marshall, M'Lean, Mountjoy, Owens, Pickett, Pope, Throckmorton, Weir, White, Wood and Worthington.

Those who voted in the negative are—messrs. Barbee, Crutcher, Davidson, Ewing, Hickman, Lackey, Perrin, Roper, Slaughter, Smith, Southgate, Turner, Ward and Williams.

Mr. Worthington moved to fill the next blank, the site of the branch in the seventh judicial district with "Greenville," Mr. Given with "Princeton," and Mr. Ewing with "Hopkinsville."

The question was first taken on filling it with Greenville, and it was resolved in the negative—Yeas 15, Nays 21.

The yeas and nays being required thereon by messrs. Worthington and Throckmorton, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Briscoe, Crutcher, Dollerhide, Faulkner, Owens, Perrin, Roper, Southgate, Throckmorton, Turner, Weir, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Barbee, Bowmar, Clay, Davidson, Eve, Ewing, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, Marshall, M'Lean, Mountjoy, Pope, Slaughter, Smith, Ward and White.

The question was then taken on filling it with Princeton, and it was resolved in the affirmative—Yeas 29, Nays 7.

The yeas and nays being required thereon by messrs. Given and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, M'Lean, Owens, Perrin, Pope, Roper,



Southgate, Throckmorton, Turner, Ward, Weir, White, Wood and Worthington.

Those who voted in the negative are—messrs. Bowmar, Ewing, Marshall, Mountjoy, Slaughter, Smith and Williams.

Mr. Gorin then moved to fill the next blank, the site for the branch in the 8th judicial district, with "Glasgow," Mr. Turner with "Scottville," Mr. Owens with "Columbia," Mr. Barbee with "Greensburg," and Mr. Wood with "Burksville."

The question was first taken on filling it with Glasgow, and it was resolved in the negative—Yeas 13, Nays 24.

The yeas and nays being required thereon, by messrs. Gorin and Slaughter, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Briscoe, Clay, Ewing, Faulkner, Ford, Gorin, Hickman, Jones, Marshall, Slaughter, Ward, Weir, and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Crutcher, Davidson, Dollerhide, Eve, Flournoy, Given, Harrison, Lackey, M'Lean, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Smith, Throckmorton, Turner, White, Wood and Worthington.

The question was then taken on filling it with Scottville, and it was resolved in the negative—Yeas 6, Nays 31.

The yeas and nays being required thereon, by messrs. Turner and Slaughter, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Gorin, Slaughter, South, Turner, Weir, and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Eve, Ewing, Faulkner, Flournoy, Ford, Given, Harrison, Hickman, Jones, Marshall, M'Lean, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Southgate, Throckmorton, Ward, White, Williams and Wood.

The question was then taken on filling it with Columbia, and it was resolved in the negative—Yeas 12, Nays 26.

The yeas and nays being required thereon by messrs. Owens and Barbee, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Crutcher, Davidson, Eve, Harrison, Marshall, Owens, Perrin, Slaughter, Smith, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Briscoe, Clay, Dollerhide, Ewing, Faulkner, Flournoy, Ford, Given, Gorin, Hickman, Jones, Lackey,

M'Lean, Mountjoy, Pickett, Pope, Roper, Southgate, Throckmorton, Turner, Ward, Weir, White and Wood.

The question was then taken on filling it with Greensburg, and it was resolved in the affirmative—Yeas 31, Nays 7.

The yeas and nays being required thereon, by messrs. Barbee and Wood, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Crutcher, Davidson, Eve, Ewing, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, M'Lean, Mountjoy, Owens, Pickett, Pope, Roper, Slaughter, Smith, Southgate, Throckmorton, Turner, Ward, and White.

Those who voted in the negative are—messrs. Clay, Dollerhide, Perrin, Weir, Williams, Wood and Worthington.

The blank for the site of the branch in the 9th judicial district was filled with "Harrodsburg."

Mr. Williams moved to fill the next blank, the site for the branch in the 10th judicial district with "Winchester," and Mr. Clay with "Paris" or "Millersburg."

The question being taken thereon it was resolved to fill it with "Winchester."

Mr. Lackey moved to fill the next blank, the site for the branch in the 11th judicial district with "Owingsville," and Mr. Williams with "Mountsterling."

The question was first taken on filling it with Owingsville, and it was resolved in the negative—Yeas 17, Nays 20.

The yeas and nays being required thereon by messrs. Lackey and Williams, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Clay, Crutcher, Faulkner, Ford, Lackey, Marshall, Mountjoy, Owens, Smith, Southgate, Throckmorton, Weir, White and Wood.

Those who voted in the negative are—messrs. Briscoe, Davidson, Dollerhide, Eve, Ewing, Flournoy, Given, Gorin, Hickman, Jones, M'Lean, Perrin, Pickett, Pope, Roper, Slaughter, Turner, Ward, Williams and Worthington.

The blank was then filled with Mountsterling.

Mr. Dollerhide moved to fill the next blank, the site for the branch in the 12th judicial district with "Somerset," Mr. Davidson with "Standford," Mr. Eve with "Barbourville" or "Manchester," and Mr. Faulkner with "Mount Vernon."

The question being first taken on filling it with Somerset, and it was resolved in the affirmative—Yeas 19, Nays 17.

The yeas and nays being required thereon by messrs. Dollerhide and Crutcher, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Clay, Dollerhide, Ford, Given, Harrison, Hickman, Marshall, Mountjoy, Roper, Southgate, Throckmorton, Ward, Weir Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Crutcher, Davidson, Eve, Ewing, Faulkner, Flournoy, Gorin, Jones, Lackey, M'Lean, Owens, Perrin, Pickett, Pope, Smith, Turner and White.

Mr. Crutcher then moved to amend the bill by adding to the second section, the following proviso : *And provided also.* That the board of directors of any of the branches shall not allow their cashier more than \$ per annum, nor their clerk more than \$ per annum.

And the question being taken thereon, it was resolved in the affirmative—Yeas 28, Nays 10.

The yeas and nays being required thereon by messrs. Crutcher and Lackey, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Clay, Crutcher, Davidson, Dollerhide, Eve, Ewing, Flournoy, Ford, Given, Harrison, Hickman, Jones, Lackey, Marshall, M'Lean, Owens, Pickett, Pope, Slaughter, Smith, Southgate, Throckmorton, Turner, Weir, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Faulkner, Gorin, Mountjoy, Perrin, Roper, Ward and White.

The blanks in the amendment were then filled, the former with \$800, and the latter with \$600.

And then the senate adjourned.

WEDNESDAY, DECEMBER, 20, 1820.

The senate assembled.

Mr. Bowmar from the committee raised to examine the Bank of Kentucky, made the following report, to-wit :

The joint committee appointed to examine the situation of the Bank of Kentucky and its branches, respectfully submit the following Report :—The annexed abstract report marked A. made out at the parent Bank from the last quarterly returns from the branches, shews the situation of the institution on the 30th day of September last, and that the aggre-

gate of its capital stock is \$2,732,620, whereof \$396,700 is owned by the state, and \$2,135,920 by individuals. The notes in circulation, \$1,251,116 95. The cash on hand, \$440,674 49, whereof \$251,327 41 is specie. The debts due the institution, \$4,523,772 67. The deposits of every description in the said bank and its branches, \$923,060 02. Reserved profits, \$75,168 77. Running profits, or such as have arisen since the last half yearly dividends were declared, and up to the date aforesaid, \$48,352 48. The value of the real estate of the corporation, \$65,811 06. Your committee have ascertained at the bank, that the cash on hand other than specie, is composed of the notes of the bank and its branches to the amount of \$165,514 75; of Independent banks of this state, \$8,599 77; of Eastern banks, \$3,018 29; of Tennessee and Indiana banks, \$10,300; of Southern banks, \$84; of Western banks, \$207; of Ohio banks, \$1,070; of the United States' bank, \$40. That the debts due the United States' Treasury for deposits in the Louisville branch is \$60,000. The debt due by the corporation to the United States' branch at Lexington, \$27,000; and the debt due the Treasury of this Commonwealth, \$70,300, which said items are included in the said abstract report under the head of Deposits. Your committee have required of the officers of the bank, a statement of the amount of their debts which are secured by pledges of stock, and are informed that \$112,260 of the debt due at the parent bank, is thus secured; and that no rule of the bank having heretofore required a report from the branches upon that point, their quarterly returns do not furnish the information required.

Your committee have turned their attention to the state of the security of the debts due the corporation, and have required of the board of the parent bank to give the best information thereon within their means of judging, and have received from the board in substance, the following reply, to-wit: "Upon a careful examination of the pay lists of the mother bank, by the board of directors, that their opinion is, that \$23,970 of the whole amount of debts due the mother bank, will probably be lost; and the recovery of \$27,160 may be considered doubtful; with respect to the probable loss that may be sustained in the debts contracted with the branches, the board can give no information; none has been required or received from them since the last session of the Assembly; all the information then received was laid before the joint committee; at the time very little of it was in writing." Your committee have required information from the board as to the state of the new debts due the institution, or such as have been creat-



ed within the present year. Their amount will appear by comparison of the amount of bills in circulation on the 30th September last, with their amount reported to the last session of the Legislature, the former being \$1,251,116 95, and the latter \$668,422 55 ; leaving a difference of \$582,694 40 : which sum is the additional amount of the bills thrown into circulation during the present year. Your committee are satisfied that the said new debts have been created upon good security, and the loans made upon the principle of diffusing the accommodations as generally as practicable. A copy of the rule made by the directory of the mother bank in January last, governing the additional emission of bills, is herewith reported, marked B, by which it will appear, that no loans were to be thereafter made to any individual or co-partnership, by said corporation, which with the debts then due by such individual or co-partnership, to the bank or any of its branches, should exceed the sum of \$5000, unless upon a pledge of stock ; and that no loan should be made upon a pledge of stock of said bank, at a rate exceeding \$90 per share. Your committee have required to be informed by the officers of the parent bank, as to what probable reduction of the value of the stock would be sustained by the shareholders occasioned by bad debts, in the event of settling up and closing the affairs of the institution ; and from the best information obtained from that source, they are of opinion that the loss in such case, would be less than five per cent. upon each share. And your committee are of opinion, that the bills of the bank and its branches are, and will continue to be a sound and wholesome circulating medium, adapted to the condition and exigencies of the country ; and that they will command the property and labour of the country, at lower rates than usual heretofore ; and that a diminution of their value is not to be expected. The ability of the corporation to redeem them in collection of their debts is evident, as the bills in circulation amount to little more than one fourth of the amount of debts due the institution.

From the Senate,

HERMAN BOWMAR,  
RICH<sup>d</sup>. SOUTHGATE,  
JAS. CRUTCHER.

From the House of Representatives, HENRY PAYNE,

JOHN GREEN,  
TH. FLETCHER,  
DAVID R. MURRAY,  
JOHN CALHOUN,  
SAMUEL BRENTS,  
JAMES CLARK.

December 19th, 1820.

(A.)											
Names of Banks.	Stock.	Notes in cir- culation.	Cash on hand includ'g specie	Debts due to the Banks.	Deposits.	Specie.					
Bank of Kent.	642,220	313,430	81	30,415	03	24,938	23				
Bardstown B. B.	100,000	68,275	25	29,548	84	18,503	57				
Danville, do	150,000	76,003	30	36,927	—	27,377	—				
Glasgow, do	100,000	103,861	—	15,525	33	11,375	33				
Hopkinsville, do	120,000	127,110	75	31,444	13	25,746	13				
Lexington, do	275,400	44,850	—	74,578	85	15,074	22				
Louisville, do	325,600	44,603	75	86,825	82	34,575	07				
Paris, do	160,000	35,555	25	22,550	24	17,167	83				
Richmond, do	120,000	50,305	—	27,130	—	16,830	—				
Russellville, do	140,000	151,085	09	29,202	60	27,831	33				
Shelbyville, do	110,000	51,638	—	11,279	39	6,036	39				
Springfield, do	100,000	84,138	—	18,482	21	14,209	21				
Washington, do	250,000	58,463	—	15,732	08	9,323	83				
Winchester, do	120,000	41,797	75	11,032	97	2,829	22				
	2,782,620	251,116	95	440,674	49	251,827	41				
Stock State,	596,700			2,782,620	—						
Individual,	2,185,920			1,251,116	95						
Notes in circu. - - - -				923,060	02						
Deposits, - - - - -				4,906,796	67						
Runn'g profits 48,352	48			123,471	25						
Reserved, do. 75,108	77										
		Dr. 5,030,258		22							
						Cash on hand,	440,674	4			
						Due to Bank,	4,523,772	6			
							4,934,447	1			
						Real Estate,	65,811	0			
						Cr. 5,030,258					

(B.)

At a meeting of the Board of Directors for the Bank of Kentucky on the 24th of January, 1820.

*Resolved*, That the Bank of Kentucky will at this board and its different offices, issue upon satisfactory security, a sum not exceeding one million of dollars of notes.

*Resolved*, That the sum to be emitted at the respective offices, will be regulated by this Board, by reference to the capital.

*Resolved*, That no loan shall be hereafter made to any individual or co-partnership, which with the debts now due by such individual or co-partnership to this bank, or any of its branches, shall exceed the sum of five thousand dollars, unless on a pledge of stock.

*Resolved*, That no loan be made by any branch on a pledge of stock of this bank, at a rate exceeding 90 dollars per share.

The above is a true extract from the Record book of the Bank of Kentucky.

H. BLANTON, CLK.

December 18th, 1820.

Which was read and laid on the table.

*Ordered*, That the public printers forthwith print 300 copies thereof for the use of the members of the senate.

Leave was given Mr. Marshall to report a bill providing for an additional constable's district in Franklin county, and a bill to annex South Frankfort to Frankfort, which were read the first time.

And the rule being dispensed with, they were read a second and third time, (having been engrossed.)

*Resolved*, That the said bills do pass, and that the titles be respectively, "an act providing for an additional constable's district in Franklin county, and an act to annex South Frankfort to Frankfort."

*Ordered*, That Mr. Pope do carry the former bill and Mr. Ward the latter bill to the house of representatives and request their concurrence.

Mr. Hickman from the select committee to whom was referred a bill from the house of representatives, entitled an act to amend an act for the relief of insolvent debtors, approved, 14th February, 1820, and for other purposes, reported the same with an amendment.

Mr. Roper moved to lay the bill and amendment on the table until the first day of June next.

And the question being taken thereon, it was resolved in the affirmative—Yeas 26, Nays 11.

The yeas and nays being required thereon by messrs. Turner and Wood, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Davidson, Dollerhide, Ewing, Flournoy, Ford, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Roper, Slaughter, Southgate, Throckmorton, Ward, White, Williams and Worthington.

Those who voted in the negative are—messrs. Clay, Crutcher, Faulkner, Harrison, Jones, M'Lean, Pope, Smith, Turner, Weir and Wood.

Mr. Slaughter presented the memorial of Wm. T. Henderson, superintendant for surveying the lands west of the Tennessee river, praying that the auditor be directed to allow for running traverse lines.

Which was read and referred to the committee for courts of justice.

Mr. Bowmar from the select committee to whom was referred a bill for the benefit of the sheriff of Greenup and Lewis counties, and the amendment made by the house of representatives; reported the same with an amendment.

Which was concurred in.

*Ordered*, That Mr. Ward inform the house of representatives thereof and request their concurrence.

Mr. Ward from the select committee to whom was referred a bill to reduce the county levy of Greenup county for the year 1821, reported the same with an amendment.

Which was concurred in, and the bill read a third time, (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be “an act to reduce the county levy of Greenup county for the year 1821.

*Ordered*, That Mr. Ward do carry said bill to the house of representatives and request their concurrence.

The senate received from the governor by Mr. Anderson, a message in writing.

And the rule being dispensed with, it was taken up and read as follows, to-wit:

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following gentlemen to be commissioned in the county of Perry lately formed, to-wit:



Jesse Adams, sheriff.

Hardin Combs, coroner.

Spencer Adams, John Adams, Charles Smith, Robert Bra-shears, Wilcy Cope, Robert Hicks, Jesse Bowling, William Stamper, Benjamin Webb, Stephen Hogg, Jeremiah Combs and Samuel Turley, justices of the peace; they having been recommended to me according to the provisions of the constitution.

JOHN ADAIR.

December, 20th, 1820.

The nominations of the 18th and 19th inst. were also taken up and read as follows, to-wit:

*Gentlemen of the Senate,*

The time for which the present sheriff of Wayne county was commissioned being about to expire, and the county court of that county having failed to recommend his successor according to the constitution; I therefore, nominate for your advice and consent, Walter Emerson, sheriff of the county of Wayne, he being the senior magistrate now in commission in said county.

JOHN ADAIR.

December 18th, 1820.

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following gentlemen to be commissioned during good behaviour, to-wit:

Colby H. Taylor, col. of the 36th regiment, in the place of Thomas Warnall, resigned.

John H. Campbell, lieut. col. of the same regiment, in the place of C. H. Taylor, if promoted.

Michael Flinn, major of the same regiment, in the place of John H. Campbell, if promoted.

Alexander S. Farrow, brigade inspector of the 5th brigade, in the place of Robert Clarke, resigned.

JOHN ADAIR.

December 19th, 1820.

*Resolved,* That the senate advise and consent to said appointments.

*Ordered,* That messrs. Lackey and Williams inform the governor thereof.

On the motion of Mr. White, leave is given to withdraw the petitions and documents in relation to the formation of a new county out of parts of the counties of Jefferson, Henry and Shelby.

A message from the house of representatives by Mr. S. D. Clark :

*Mr. Speaker,*

The house of representatives have adopted a resolution for the adjournment of the general assembly without day ; in which they request the concurrence of the senate.

And then he withdrew.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker,*

The house of representatives have received official information, that the governor did on the 19th inst. approve and sign sundry enrolled bills which originated in the house of representatives, of the following titles, to-wit :

An act for the relief of the heirs of William Long, deceased.

An act to authorize the printing and publishing the Map of the land west of the Tennessee river.

An act to establish the Lindley Academy in Henry county, and incorporate trustees to that institution.

An act for the divorce of Betsey Craig, Polly Stewart and Martha Dunlavy.

December 19th, 1820.

They have passed bills from the senate of the following titles, to-wit :

An act to amend the law concerning the sales of non-residents' lands for taxes ; and an act providing for the repairing and improvement of the penitentiary, with amendments ; in which they request the concurrence of the senate.

And then he withdrew.

The amendments to said bills were taken up and read ; those proposed to the former were concurred in, and the latter laid on the table until to-morrow.

*Ordered,* That the clerk inform the house of representatives thereof.

The consideration of the bill from the house of representatives, entitled an act supplementary to an act establishing the Bank of the Commonwealth of Kentucky, was resumed.

Mr. White moved to amend the bill by attaching thereto the following section, to-wit :

*Be it further enacted,* That it shall be lawful for the president and directors, for the time being, of the parent or principal bank aforesaid, if they shall deem it necessary for the more convenient and speedy operation of said corporation, to

appoint, from time to time, some officer of the said bank, or other suitable person, to sign, under their direction and superintendence, any notes that may be issued by the order of said corporation, of the denomination of one dollar, and of all such smaller denominations as it may, at any time, be lawful for said corporation to issue; and all such notes, signed by the person appointed as aforesaid, and issued by said corporation, at the principal bank or any of its branches, shall have the same force and effect, and be in all respects upon the same footing, as if signed by the president of said corporation, and countersigned by the cashier of the parent or principal bank.

And the question being taken thereon, it was resolved in the affirmative—Yeas 19, Nays 18.

The yeas and nays being required thereon, by messrs. White and Slaughter, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Davidson, Ewing, Ford, Given, Marshall, Owens, Perrin, Pickett, Roper, Slaughter, Smith, Southgate, Ward, Weir, White and Worthington.

Those who voted in the negative are—messrs. Briscoe, Clay, Crutcher, Dollerhide, Faulkner, Flournoy, Gorin, Harrison, Hickman, Jones, Lackey, M'Lean, Mountjoy, Pope, Throckmorton, Turner, Williams and Wood.

Mr. Jones then moved to amend the bill by attaching thereto the following section, to-wit:

*Be it further enacted.* That so much of the second section of this act, as provides that a president and eight directors shall be elected by the general assembly, to manage and superintend the several branch banks, established by the act to which this is a supplement, shall be, and the same is hereby suspended until the next annual meeting of the legislature.

And the question being taken thereon, it was resolved in the negative—Yeas 13, Nays 25.

The yeas and nays being required thereon by messrs. Jones and Barbee, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Clay, Davidson, Eve, Ewing, Faulkner, Flournoy, Harrison, Jones, Perrin, Pope, Roper, Slaughter and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Crutcher, Dollerhide, Ford, Given, Gorin, Hickman, Lackey, Marshall, M'Lean,

Mountjoy, Owens, Pickett, Smith, Southgate, Throckmorton, Turner, Ward, Weir, White, Williams and Wood.

Mr. Perrin then moved to re-consider the vote whereby the site of the branch of the fifth judicial district was located at Shepherdsville.

And the question being taken thereon, it was resolved in the affirmative—Yeas 19, Nays 19, the speaker voting in the affirmative.

The yeas and nays being required thereon by messrs. Crutcher and Pope, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Bowmar, Briscoe, Davidson, Eve, Ewing, Ford, Gorin, Marshall, McLean, Owens, Perrin, Pope, Slaughter, Smith, Throckmorton, Turner, Ward, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Clay, Crutcher, Dollerhide, Faulkner, Flournoy, Given, Harrison, Hickman, Jones, Lackey, Mountjoy, Pickett, Roper, Southgate, Weir, White and Wood.

The question then recurred on filling the blank with Shepherdsville.

And the question being taken thereon, it was resolved in the negative—Yeas 11, Nays 27.

The yeas and nays being required thereon, by messrs. Crutcher and Pickett, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Clay, Crutcher, Dollerhide, Faulkner, Harrison, Lackey, Mountjoy, Owens, Smith, Southgate and White.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Davidson, Eve, Ewing, Flournoy, Ford, Given, Gorin, Hickman, Jones, Marshall, McLean, Perrin, Pickett, Pope, Roper, Slaughter, Throckmorton, Turner, Ward, Weir, Williams, Wood and Worthington.

Mr. McLean then moved to re-consider the vote rejecting the proposition to fill the blank with Louisville, which was done, and the blank filled with Louisville.

Mr. Faulkner then moved to lay the bill and amendments on the table until the first day of June next.

And the question being taken thereon, it was resolved in the negative—Yeas 9, Nays 29.

The yeas and nays being required thereon by messrs. Faulkner and Clay, were as follows, to-wit :



Those who voted in the affirmative are—messrs. Clay, Crutcher, Davidson, Faulkner, Harrison, Jones, Slaughter, Smith and Turner.

Those who voted in the negative are—messrs. Anderson, Barbéc, Bowmar, Briscoe, Dollerhide, Eve, Ewing, Flournoy, Ford, Given, Gorin, Hickman, Lackey, Marshall, M'Lean, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Southgate, Throckmorton, Ward, Weir, White, Williams, Wood and Worthington.

Mr. M'Lean then moved to re-consider the vote whereby the site of the branch in the 2d judicial district was located at Falmouth.

And the question being taken thereon, it was resolved in the negative—Yeas 16, Nays 17.

The yeas and nays being required thereon, by messrs. Flournoy and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Bowmar, Briscoe, Ewing, Ford, Gorin, Lackey, M'Lean, Owens, Perrin, Pope, Smith, Throckmorton, Turner, Ward, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbée, Clay, Crutcher, Davidson, Dollerhide, Flournoy, Harrison, Hickman, Jones, Marshall, Mountjoy, Roper, Slaughter, Southgate, Weir and White.

Mr. Owens then moved to re-consider the vote whereby the site of the branch in the 6th judicial district was located at Hartford.

And the question being taken thereon, it was resolved in the negative—Yeas 13, Nays 23.

The yeas and nays being required thereon, by messrs. Turner and Slaughter, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Bowmar, Ewing, Ford, Gorin, M'Lean, Owens, Pope, Slaughter, Smith, Throckmorton, Turner, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbée, Briscoe, Clay, Davidson, Dollerhide, Faulkner, Flournoy, Given, Harrison, Hickman, Jones, Lackey, Marshall, Mountjoy, Perrin, Pickett, Roper, Southgate, Ward, Weir, White and Wood.

The question was then taken on the passage of the bill as amended, and it was resolved in the affirmative—Yeas 28, Nays 7.

The yeas and nays being required thereon by messrs. Slaughter and Throckmorton, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Dollerhide, Ewing, Flournoy, Ford, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Smith, Southgate, Throckmorton, Ward, Weir, White, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Clay, Davidson, Faulkner, Harrison, Jones, M'Lean, Slaughter and Turner.

*Resolved*, That the said bill as amended do pass, and that Mr Barbee inform the house of representatives thereof and request their concurrence in the amendments.

The senate received from the governor by Mr. Anderson, a message in writing, containing certain nominations.

The amendments proposed by the house of representatives to a bill entitled an act to amend the act appropriating fines and forfeitures for the purposes of promoting education, were taken up and concurred in.

*Ordered*, That the clerk inform the house of representatives thereof.

A message from the house of representatives by Mr. King :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act to alter and extend the time of holding the Cumberland circuit court, and for other purposes ; in which they request the concurrence of the senate.

And then he withdrew.

And then the senate adjourned.

#### THURSDAY, DECEMBER 21, 1820.

The senate assembled.

Mr. Barbee from the joint committee of enrolments, reported that they had examined sundry enrolled bills of the following titles, to-wit :

An act appointing persons to view a road from Danville to the Tennessee line.

An act for the benefit of Benjamin Bridges.

An act for the benefit of John A. Markley.

An act authorising the trustees of the Hardin and Jefferson academies, to sell their donation lands, and for other purposes.

An act supplemental to an act forming the county of Perry.

An act concerning the publication of orders of court, and for other purposes.

An act for the benefit of the heirs of John Ellis.

An act for the benefit of poor widows.

An act for transcribing certain surveys on treasury warrants in Green county.

An act for the benefit of Wm. W. and George W. Whitaker.

An act providing for the collection of the revenue of Harlan county for the year 1819.

An act to amend the act entitled an act to provide for the further publication of the decisions of the court of Appeals.

An act to prevent the circulation of private notes.

An act to authorize the secretary of state to furnish the department of state for the United States, with a complete edition of the laws of this Commonwealth.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee of enrolments to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

Mr. Harrison moved the following resolution, to-wit :

*Resolved,* That the auditor forthwith report to the senate, an account of the whole profit and loss of the penitentiary establishment for the last ten years.

Which was adopted.

Mr. Dollerhide from the committee of Religion, made the following report, to-wit :

The committee of Religion have, according to order, had under consideration, a bill from the house of representatives, entitled an act for the divorce of sundry persons, and have come to the following resolution thereupon, to-wit :

*Resolved,* That the said bill ought to pass.

Which was concurred in.

The bill was then read a second time.

And the rule being dispensed with, it was read a third time.

*Resolved*, That the said bill do pass, and that Mr. Given inform the house of representatives thereof.

Mr. Given from the select committee appointed for that purpose, reported a bill to establish election precincts in Livingston and Caldwell counties, and leave was given Mr. Weir to report a bill to authorize the insertion of advertisements in "The Columbian."

Which were read the first time.

And the rule being dispensed with, they were read a second and third time, (having been engrossed.)

*Resolved*, That the said bills do pass, and that the titles be respectively, "an act to establish election precincts in Livingston and Caldwell counties, and an act to authorize the insertion of advertisements in "The Columbian."

*Ordered*, That Mr. Given do carry said bills to the house of representatives, and request their concurrence.

On motion.

*Ordered*, That the committee of propositions and grievances be discharged from any further consideration on a bill from the house of representatives, entitled an act for the formation of a new county out of the counties of Ohio, Breckinridge and Grayson.

Mr. Worthington moved to lay the bill on the table until the first day of June next.

And the question being taken thereon, it was resolved in the affirmative—Yeas 35, Nays 2.

The yeas and nays being required thereon by messrs. Anderson and Ewing, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Eve, Ewing, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, Marshall, M'Lean, Owens, Perrin, Pickett, Pope, Roper, Slaughter, Smith, Southgate, Throckmorton, Turner, Ward, Weir, White, Williams, Wood and Worthington.

Those who voted in the negative are—messrs. Anderson and Lackey.

The resolution from the house of representatives for the adjournment of the general assembly without day, was taken up and read as follows, to-wit :



## IN THE HOUSE REPRESENTATIVES, }

DECEMBER 19, 1820. }

*Resolved by the Senate and House of Representatives, That their adjournment on Saturday the 23d inst. shall be without day.*

Att.

R. S. TODD, C. H. R.

Mr. Wood moved to lay the resolution on the table until Saturday next.

And the question being taken thereon, it was resolved in the affirmative—Yeas 19, Nays 19, the speaker voting in the affirmative.

The yeas and nays being required thereon by messrs. Faulkner and Barbée, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbée, Bowmar, Briscoe, Ewing, Flournoy, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Pickett, Pope, Smith, Ward, White and Wood.

Those who voted in the negative are—messrs. Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Ford, Harrison, Jones, M'Lean, Perrin, Roper, Slaughter, Southgate, Throckmorton, Turner, Weir, Williams and Worthington.

Mr. Pope from the committee for courts of justice, made the following report, to-wit :

The committee for courts of justice to whom was referred the memorial of Micajah Harrison, clerk of Montgomery county court, relative to certain charges exhibited against him for malfeasance in office, which appear on the journals of the senate for the session of 1810, from which it appears, that the said clerk, by his deputy, had drawn from the public treasury, the sum of one hundred and thirty-one dollars and forty-three cents, for making out and certifying the commissioners' books of Montgomery county for that year.

Your committee examined evidence touching the aforesaid subject, from which it appeared, that the account was made out and settled with the auditor in the absence of said Harrison from the state; and it further appeared that the deputy who made out said account, did it according to the construction, which he was informed, the attorney general had given to the law under which the said deputy acted. From the whole of the evidence, it did not appear that the said Micajah Harrison had any agency or knowledge of making out the said account and drawing the money. They, therefore, beg leave to recommend the adoption of the following resolution, viz.

*Resolved by the senate,* That from the evidence aforesaid, the charges aforesaid against said Micajah Harrison, are unfounded, and that there is no cause of censure against him, and that he stand acquitted from all censure or reproach relative to said subject.

Which was concurred in.

*Ordered,* That the committee of the whole house on the state of the commonwealth, be discharged from further consideration on the bill to prevent unnecessary litigation.

Mr. M'Lean then moved to lay the bill on the table until the first day of June next.

And the question being taken thereon, it was resolved in the negative—Yeas 15, Nays 22.

The yeas and nays being required thereon, by messrs. Hickman and Faulkner, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Clay, Davidson, Dollerhide, Faulkner, Ford, Given, Harrison, Jones, M'Lean, Roper, Smith, Turner, Weir, Williams and Worthington.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Crutcher, Eve, Ewing, Flournoy, Gorin, Hickman, Marshall, Mountjoy, Owens, Perrin, Pickett, Pope, Slaughter, Southgate, Throckmorton, Ward, White and Wood.

The bill was then committed to messrs. Crutcher, Flournoy, Marshall, White and Owens.

Bills from the house of representatives of the following titles, to-wit :

1. An act for the benefit of the representatives of Samuel Beall, dec'd. ; 2. an act for the benefit of Jonathan M'Connell and John M'Kinney ; 3. an act to alter and extend the time of holding the Cumberland circuit court, and for other purposes, and 4. an act authorising Wm. A Fry and others to erect a bridge across the Kentucky river, and for other purposes.

Were severally read the first time.

And the rule being dispensed with, they were read a second and third time.

*Resolved,* That the said bills do pass, and that Mr. Owens inform the house of representatives thereof.

A message from the house of representatives by Mr. Cockerill :

*Mr. Speaker,*

The house of representatives have passed a bill entitled

an act to regulate endorsements on executions ; in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time.

And the rule being dispensed with, it was read a second time and committed to messrs. Bowmar, White, Marshall, Flournoy and Owens.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to establish an election precinct in Nelson county ; in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time.

And the rule being dispensed with, it was read a second and third time.

*Resolved,* That the said bill do pass, and that Mr. M'Lean inform the house of representatives thereof.

The speaker laid before the senate the following communication from the auditor, to-wit :

#### AUDITOR'S OFFICE,

21st DECEMBER, 1829.

WILLIAM T. BARRY,

*Lieutenant Governor, and*

*Speaker of the Senate.*

SIR,

In obedience to the resolution of the honorable senate of this state, requiring the auditor forthwith to report to that body, the account of the whole profit and loss of the penitentiary establishment for the last ten years, I herewith transmit the enclosed statement, which I am fearful will be too imperfect to afford much satisfaction, owing to the circumstance of various changes which have taken place by law, in the conducting said institution, within the period above mentioned. It will also be recollected, that the accounts of that institution, were not kept at this office until 1817, (see Littell's laws vol. 5. page 558,) since which time the auditor's annual reports give a detailed account, which, it is apprehended, will be much more satisfactory than a mere abstract taken from them ; all of which I beg you will lay before the senate.

I have the honor to be, sir,

Your obedient servant,

PORTER CLAY, AUD'R.

A statement shewing the amount of monies drawn from the treasury for, and on account of the Penitentiary, from the year 1810, up to the 1st of October, 1820; also, the amount paid into the Treasury by the keepers and agents for the same period, viz.

1810, warrants drawn for keeper's salary,	\$600 00
1811, do. do. do.	600 00
1812, do. do. do.	600 00
1813, do. do. do.	600 00
Appropriation made January 23d, 1813,	2,500 00
1814, warrants drawn for keeper's salary,	600 00
1815, do. do. do.	600 00
1816, do. do. do.	600 00

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\$6,700 00

Credit by treasurer's receipt dated 21st July, 1814,	\$287 89
Do. November 30th, 1815,	2000 00—2,287 89
Balance due the commonwealth on the 1st October, 1816,	\$4,412 11

Warrants drawn by the auditor on the treasurer from the 11th of February, to the 1st October, 1817, for the purchase of raw materials, &c. is	\$18,520 00
Do. for the compensation of keeper and agent,	1,622 00—20,142 00
Paid the treasurer by the agent during the same period,	10,230 87

Balance due the commonwealth,	\$9,911 13
Warrants drawn on the treasury from the 1st October, 1817, to the 30th September, 1818, for the purchase of raw materials, &c.	22,757 08
Do. for the keeper's and agent's salaries, &c.	2,106 70—24,863 78
Paid by the agent to the treasurer during the same period,	17,424 56

Add the balance due the commonwealth on the 1st October, 1817,	7,439 22
	9,911 13

Balance due the commonwealth 1st October, 1818,	17,350 35
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Warrants drawn on the treasurer from the 1st October, 1818, to the 1st October, 1819, for the purchase of raw materials, &c.	21,914 00	
Do. for the compensation of keeper and agent,	2,318 74	24,232 74
Paid by the agent to the treasurer during the same period,		20,230 00
		<hr/> \$4,002 74
Add the balance due the commonwealth on the 1st October, 1818,		17,350 35
		<hr/>
Balance due the commonwealth on the 1st October, 1819,		21,353 09
Warrants drawn on the treasurer from the 1st October, 1819, to the 1st October, 1820, for the purchase of raw materials, &c.	\$15,650 00	
For the compensation of keeper and agent,	4,065 99	19,715 99
Add the balance due the commonwealth on the 1st October, 1819,		21,353 09
		<hr/> \$41,069 08
Paid the treasurer during the same period,		20,193 03
		<hr/>
Balance due the commonwealth 1st October, 1820,		\$20,876 05

PORTER CLAY, AUD'R.

## AUDITOR'S OFFICE.

The amendment proposed by the house of representatives to a bill entitled an act providing for the repairing and improvement of the penitentiary, was taken up and read.

And the question being taken on concurring therein, it was resolved in the negative—Yeas 11, Nays 22.

The yeas and nays being required thereon, by messrs. Harrison and Southgate, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Barbee, Briscoe, Harrison, Hickman, Jones, Perrin, Slaughter, Smith, Turner, Weir and Worthington.

Those who voted in the negative are—messrs. Anderson, Bowmar, Clay, Crutcher, Davidson, Dollerhide, Eve, Ewing, Faulkner, Flournoy, Gorin, Lackey, Marshall, McLean, Mountjoy, Owens, Pickett, Southgate, Throckmorton, Ward, White and Wood.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

The senate received from the governor by Mr. Anderson, a message in writing.

And the rule being dispensed with, it was taken up and read as follows, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, Elisha Smith, Esq. commonwealths' attorney, in and for the twelfth judicial district, in the place of John Kincaid, whose term of service will expire at the close of the present session of the legislature.

JOHN ADAIR.

December, 21st, 1820.

The nominations made on yesterday were also taken up and read as follows, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following persons to be commissioned during good behaviour, to-wit :

Azariah Doty, lieutenant-col. of the 26th regiment, in the place of William Layton, resigned.

Robert Fowler, major of the same regiment, in the place of Azariah Doty, if promoted.

Also, Robert George, keeper of the turnpike gate on the wilderness road, for the ensuing year.

JOHN ADAIR.

December 20th, 1820.

*Resolved*, That the senate advise and consent to said appointments.

*Ordered*, That messrs. Davidson and Faulkner inform the governor thereof.

A bill from the house of representatives providing for surveying the military claims west of the Tennessee river, was read a third time, and amended at the clerk's table.

Leave was given Mr. Ward to report a bill for altering the time of holding the circuit and county courts of Lewis county.

Which was read the first time.

And the rule being dispensed with, it was read a second and third time, (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be  
 "an act for altering the time of holding the circuit and coun-  
 ty courts of Lewis county."

*Ordered*, That Mr. Ward do carry said bill to the house  
 of representatives and request their concurrence.

And then the senate adjourned.

### FRIDAY, DECEMBER 22, 1820.

The senate assembled.

A message from the house of representatives by Mr.  
 Lancaster :

*Mr. Speaker*,

The house of representatives concur in the amendments  
 proposed by the senate to a bill entitled an act supplementa-  
 ry to an act to establish the bank of the commonwealth of  
 Kentucky.

And then he withdrew.

Mr. Barbee from the joint committee of enrolments, re-  
 ported that they had examined an enrolled bill, entitled an  
 act supplementary to an act to establish the bank of the  
 commonwealth.

And had found the same truly enrolled.

A message from the house of representatives by Mr.  
 Lancaster :

*Mr. Speaker*,

The speaker of the house of representatives having signed  
 an enrolled bill, I am instructed to lay the same before the  
 senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bill being the same re-  
 ported to-day by Mr. Barbee, and it was delivered to the  
 joint committee to be laid before the governor for his appro-  
 bation and signature.

And after some time Mr. Barbee from said committee, re-  
 ported that they had performed that duty.

The senate received information by Mr. Anderson, that  
 the governor did on yesterday, approve and sign sundry en-  
 rolled bills which originated in the senate, of the following ti-  
 tles, to wit :

An act supplemental to an act forming the county of Per-  
 ry.

An act authorising the trustees of the Hardin and Jeffer-

son academies, to sell their donation lands, and for other purposes.

An act for transcribing certain surveys on treasury warrants in Green county.

An act for the benefit of John A. Markley.

An act for the benefit of Wm. W. and George W. Whitaker.

An act to authorize the secretary of state to furnish the department of state for the United States, with a complete edition of the laws of this Commonwealth.

An act to prevent the circulation of private notes.

An act to amend the act entitled an act to provide for the further publication of the decisions of the court of Appeals.

An act providing for the collection of the revenue of Harlan county for the year 1819.

An act for the benefit of poor widows.

An act for the benefit of the heirs of Johnson Ellis.

An act concerning the publication of orders of court, and for other purposes.

An act for the benefit of Benjamin Bridges.

An act appointing persons to view a road from Danville to the Tennessee line.

*Ordered*, That the clerk inform the house of representatives thereof.

Mr. Bowmar from the select committee to whom was referred a Bill from the house of representatives, entitled an act to regulate endorsements on executions, reported the same with amendments.

Mr. White moved the following as a substitute for the bill and amendments, to-wit :

That no execution of any kind shall issue upon any replevin bond, recognizance, forth-coming bond, or upon bonds executed under the provisions of the law concerning occupying claimants of land, or upon any other bond having the force of a judgment, or any decree or order of sale where the same hath been heretofore stayed by replevin or otherwise, until the expiration of the term of \_\_\_\_\_ months from and after the passage of this act, except upon bonds given for the purchase of property sold under execution or order of sale. And when any execution, order of sale or decree, shall be ordered after the expiration of the term aforesaid, such execution, decree or order of sale, shall not be executed for \_\_\_\_\_ months after the same shall issue, unless the



plaintiff or plaintiffs, their agent or attorney, shall endorse on said execution, decree or order of sale, that "notes on the bank of Kentucky or its branches, or notes on the bank of the commonwealth of Kentucky or its branches, will be taken in discharge of the whole or any part of this (execution, decree or order of sale, as the case may be.)"

§ 2. When any execution shall issue upon any judgment, decree or order of sale, not heretofore stayed or replevied, if the plaintiff or plaintiffs, his, her or their agent or attorney, shall endorse thereon, that notes will be taken as described in the foregoing section, the defendant or defendants, may replevy or enter into recognizance with approved security, in the manner and form as is now authorized by law; conditioned that he, she or they, will pay the debt or damages, interest and costs, in \_\_\_\_\_ months, from the date thereof. But if the defendant or defendants, in any of the cases before recited, shall fail or refuse, or be unable to give such replevin bond with security as aforesaid, it shall be the duty of the officer to whom the process of execution shall be directed, under the rules and regulations now prescribed by law, to levy upon, and sell so much of the estate of any such defendant or defendants, as will be necessary to satisfy the demand, on a credit of \_\_\_\_\_ months, taking bond with approved security of the purchaser for the purchase money, conditioned for the payment thereof, at the time the same shall become due; which bond shall be returned to the office of the court or justice of the peace from whence the same issued; and thereupon execution may issue against the principal and his security, in any such bond, and upon which execution the clerk or justice of the peace, shall endorse that no security of any kind shall be taken.

§ 3. In all cases where execution shall issue upon a judgment or decree, or where an order of sale is directed where the debt or damages has not heretofore been stayed by replevin, if the plaintiff or plaintiffs, shall fail or refuse to endorse that he, she or they, will take the notes aforesaid in discharge of the said execution, decree or order of sale, the defendant or defendants, shall have the right to replevy the debt or damages therein, for \_\_\_\_\_ years. And if any such defendant or defendants, shall fail or refuse, to enter into such replevy, with good and approved security, according to the provisions of this section, the officer to whom such execution, decree or order of sale, may be directed, shall expose the estate of any such defendant or defendants, to sale on a

credit of                    years, for what it will bring, taking bond and security of the purchaser ; and such bond or bonds, shall have the same force and effect, and may be proceeded on in the same manner as is prescribed in the foregoing section of this act: *Provided*, that nothing in this act contained, shall be construed to operate upon any judgment, decree or execution against an attorney at law, where he may have received money for his client, or any collector of revenue or county levy, or the sergeant of the court of Appeals, or any sheriff, deputy sheriff, coroner or constable, for money by him or them collected, or which ought to have been collected and accounted for ; but the same may be proceeded on as though this act had not passed : *Provided also*, that nothing in this act contained, shall be so construed as to extend to any judgment recovered by a security against his principal, but in all such cases where an execution shall issue, they shall be endorsed " that no security of any kind shall be taken."

And the question being taken thereon, it was resolved in the affirmative—Yeas 18, Nays 15.

The yeas and nays being required thereon by messrs. Crutcher and Clay, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Dollerhide, Ewing, Flournoy, Gorin, Hickman, Marshall, Mountjoy, Owens, Pickett, Slaughter, Smith, Throckmorton, Turner, Ward, White and Wood.

Those who voted in the negative are—messrs. Anderson, Clay, Crutcher, Davidson, Faulkner, Ford, Harrison, Lackey, M'Lean, Perrin, Pope, Roper, Weir, Williams and Worthington.

The said bill was further amended at the clerk's table, and committed to messrs. Roper, Marshall, Pope, Bowmar and Flournoy.

A message from the house of representatives by Mr. Blakey :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to establish a branch bank of the bank of the commonwealth at Bowlinggreen ; in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time.

And the rule being dispensed with, it was read a second and third time.

*Resolved*, That the said bill do pass, and that Mr. Turner inform the house of representatives thereof.

A message from the house of representatives by Mr. Lyne :

*Mr. Speaker*,

The house of representatives have adopted resolutions in relation to the inspection laws at New-Orleans ; in which they request the concurrence of the senate.

And then he withdrew.

Mr. Williams from the joint committee of enrolments, reported that they had examined an enrolled bill entitled an act to add a part of Casey to Mercer county:

And had found the same truly enrolled.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker*,

The speaker of the house of representatives having signed an enrolled bill, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bill being the same reported to-day by Mr. Williams, and it was delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Williams from said committee, reported that they had performed that duty.

Mr. Roper from the committee for courts of justice, reported a bill for the benefit of Charles W. J. Jerome.

Which was read the first time and ordered to be read a second time.

Mr. Roper from said committee to whom was referred a bill for establishing and laying off a town at the Iron Banks, reported the same with amendments.

Mr. Gorin from the select committee raised for that purpose, reported a bill for the benefit of John M'Ferran, late deputy sheriff of Barren county.

Which was read the first time.

And the rule being dispensed with, it was read a second and third time, (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be "an act for the benefit of John M'Ferran, late deputy sheriff of Barren county."

*Ordered*, That Mr. Gorin do carry said bill to the house of representatives and request their concurrence.

And then the senate adjourned.

SATURDAY, DECEMBER 25, 1820.

The senate assembled.

Mr. Barbee from the joint committee of enrolments, reported that they had examined sundry enrolled bills of the following titles, to-wit :

An act to establish a branch bank of the bank of the commonwealth at Bowlinggreen.

An act for the divorce of sundry persons.

An act for the benefit of the representatives of Samuel Beall, dec'd.

An act authorising William A. Fry and others to erect a bridge across the Kentucky river, and for other purposes.

An act to alter and extend the time of holding the Cumberland circuit court, and for other purposes.

An act for the benefit of Jonathan M'Connel and John M'Kinney.

An act to establish an election precinct in Nelson county.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker.*

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker,*

The house of representatives have passed bills of the following titles, to-wit :

An act to amend the law concerning sheriffs and their deputies, and an act to amend and extend the charter of the bank of Kentucky ; in which they request the concurrence of the senate.

And then he withdrew.



The said bills were read the first time.

And the rule being dispensed with, they were read a second time, and the former a third time.

*Resolved*, That the said bill do pass, and that Mr. Pope inform the house of representatives thereof.

The latter bill was committed to a committee of the whole house on the state of the commonwealth for Monday next.

*Ordered*, That the public printers forthwith print 150 copies of said bill for the use of the members of the senate.

A bill from the house of representatives entitled an act for surveying the claims west of the Tennessee river, was read a third time as amended.

*Resolved*, That the said bill as amended do pass, and that Mr Wood inform the house of representatives thereof and request their concurrence in the amendments.

Mr. Roper from the select committee to whom was referred a bill from the house of representatives, entitled an act to regulate the endorsements on executions, reported the same with amendments.

Mr. Pope moved to amend the bill by attaching thereto, the following section, to-wit :

*Be it further enacted*, That the provisions of this act shall not extend to any judgment or decree, rendered or obtained on any original contract, made and executed after the first day of August next. And in all cases where suits at law or in chancery may be prosecuted to judgment or decree on any such contract made after the first day of August 1821, it shall be the duty of the clerk or justice of the peace, by whom the execution is issued on such judgment, to endorse thereon, that the contract on which the judgment or decree was obtained or rendered, was made after the first day of August, 1820. And such execution, so endorsed, may be replevied for three months only, but shall not be liable to any further delay by force of any law now in force, or which may hereafter be enacted, in relation to executions : *Provided however*, that nothing in this section shall be so construed as to extend to any note, bond or bill, made and executed to any bank or other corporation, but shall extend only to new, original and real transactions.

And the question being taken thereon, it was resolved in the negative—Yeas 12, Nays 23.

The yeas and nays being required thereon, by messrs. Pope and M'Lean, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Briscoe, Clay, Davidson, Faulkner, Ford, Harrison, Jones, M'Lean, Pickett, Pope, Williams and Worthington.

Those who voted in the negative are—messrs. Barbee, Bowmar, Crutcher, Dollerhide, Eve, Ewing, Flournoy, Given, Gorin, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Roper, Southgate, Throckmorton, Turner, Ward, Weir, White and Wood.

The first amendment was then read as follows, to-wit:

*Be it enacted*, That all executions which shall or may be issued prior to the first day of July next, upon any replevy bond or recognizance, or other bond having the force of a judgment, except such as may be issued upon bonds given for the purchase of property sold under execution, order or decree of sale, shall not be returnable in a shorter time than 120 days after the test of said execution; and such execution or executions, shall remain in the office of the clerk or justice of the peace issuing the same, for ninety days after the same may have been issued: *Provided*, that executions may be taken out in all cases after the said first day of July.

Mr. White then moved to amend the same by striking out 90, and inserting 120, and by striking out 120, and inserting 150.

And the question being taken thereon, it was resolved in the negative—Yeas 11, Nays 24.

The yeas and nays being required thereon, by messrs. White and Wood, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Bowmar, Flournoy, Hickman, Marshall, Mountjoy, Owens, Smith, Southgate Ward, White and Wood.

Those who voted in the negative are—messrs. Anderson, Barbee, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Eve, Ewing, Faulkner, Ford, Given, Gorin, Harrison, Jones, Lackey, M'Lean, Perrin, Pickett, Pope, Roper, Slaughter, Throckmorton, Turner, Weir, Williams and Worthington.

The next amendment was then read as follows, to-wit:

In all cases where an execution may, or shall issue or be issued, upon any replevin bond, recognizance, forth coming bond, or other bond having the force of a judgment, except upon bonds given for the purchase of property sold under execution or order of sale, unless the plaintiff or plaintiffs, shall in addition to the endorsment, that notes on the bank of

Kentucky and its Branches will be taken in discharge of said execution; endorse that notes on the bank of the commonwealth of Kentucky and its branches, will be received in like manner, the defendant or defendants, in such execution or executions, may replevy the same for twelve months, or if the said defendant or defendants, shall not replevy said execution or executions, and the same shall be levied, the estate so levied upon, shall be sold on a credit of twelve months.

Mr. Owens then moved to strike out 12 months and insert in lieu thereof, two years.

Mr. Crutcher called for a division of the question, and it was taken on striking out 12 months, and it was resolved in the negative—Yeas 8, Nays 80.

The yeas and nays being required thereon, by messrs. Owens and M'Lean, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Dollerhide, Ewing, Given, Hickman, Mountjoy, Owens, Smith and Turner.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Clay, Crutcher, Davidson, Eve, Faulkner, Flournoy, Ford, Gorin, Harrison, Jones, Lackey, Marshall, M'Lean, Perrin, Pickett, Pope, Roper, Slaughter, Southgate, Throckmorton, Ward, Weir, White, Williams, Wood and Worthington.

The amendments were then concurred in and the bill read a third time.

And the question being taken on the passage thereof, it was resolved in the affirmative—Yeas 20, Nays 18.

The yeas and nays being required thereon by messrs. Faulkner and Anderson, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Ewing, Flournoy, Given, Gorin, Hickman, Marshall, Mountjoy, Perrin, Pickett, Roper, Slaughter, Smith, Southgate, Throckmorton, Turner, Ward and Wood.

Those who voted in the negative are—messrs. Anderson, Clay, Crutcher, Davidson, Dollerhide, Eve, Faulkner, Ford, Harrison, Jones, Lackey, M'Lean, Owens, Pope, Weir, White, Williams and Worthington.

*Resolved*, That the said bill as amended do pass, and that Mr. Ewing do inform the house of representatives thereof, and request their concurrence in the amendments.

Mr. Harrison moved to take up the resolution from the

house of representatives, fixing a day for an adjournment of the legislature.

And the question being taken thereon, it was resolved in the affirmative—Yeas 20, Nays 17.

The yeas and nays being required thereon by messrs. Williams and Wood, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Anderson, Clay, Davidson, Dollerhide, Eve, Faulkner, Ford, Harrison, Jones, Lackey, M'Lean, Pope, Roper, Slaughter, Southgate, Throckmorton, Weir, White, Williams and Worthington.

Those who voted in the negative are—messrs. Barbee, Bowmar, Crutcher, Ewing, Flournoy, Given, Gorin, Hickman, Marshall, Mountjoy, Owens, Perrin, Pickett, Smith, Turner, Ward and Wood.

Mr. Wood then moved to strike out the 23d inst. and insert the 26th instant.

Mr. Faulkner called for a division of the question, and it was taken on striking out, and it was resolved in the negative—Yeas 17, Nays 20.

The yeas and nays being required thereon by messrs. Faulkner and Wood, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Crutcher, Ewing, Flournoy, Given, Gorin, Hickman, Marshall, Mountjoy, Pickett, Pope, Roper, Smith, Turner, Ward and Wood.

Those who voted in the negative are—messrs. Anderson, Clay, Davidson, Dollerhide, Eve, Faulkner, Ford, Harrison, Jones, Lackey, M'Lean, Owens, Perrin, Slaughter, Southgate, Throckmorton, Weir, White, Williams and Worthington.

A resolution laid on the table yesterday was taken up and concurred in as follows, to-wit:

*Resolved by the General Assembly of the Commonwealth of Kentucky, That they will on the 23d inst. proceed (by a joint vote,) to the election of presidents and directors of the branches of the bank of the Commonwealth of Kentucky.*

*Ordered, That Mr. Barbee inform the house of representatives thereof and request their concurrence.*

A message from the house of representatives by Mr. Payne:

*Mr. Speaker,*

The house of representatives request leave to withdraw



the resolution from that house, fixing a day for the adjournment of the legislature.

And then he withdrew.

Whereupon leave was given to withdraw the same.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

A bill for establishing and laying off a town at the Iron Banks, was taken up, the amendments concurred in, and the bill committed to a committee of the whole house on the state of the commonwealth.

A resolution from the house of representatives in relation to the inspection laws at New-Orleans, was taken up and disagreed to.

*Ordered*, That Mr. Pope inform the house of representatives thereof.

A bill for the benefit of Charles W. J. Jerome, was read a second time.

And the rule being dispensed with, it was read a third time, (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be "an act for the benefit of Charles W. J. Jerome."

*Ordered*, That Mr. Roper do carry said bill to the house of representatives and request their concurrence.

A message from the house of representatives by Mr. T. P. Moore :

*Mr. Speaker*,

The house of representatives concur in a resolution from the senate, fixing a day for the election of presidents and directors of the branches of the bank of the commonwealth, with an amendment; in which they request the concurrence of the senate.

And then he withdrew.

The amendment was taken up, read, and concurred in.

*Ordered*, That Mr. Roper inform the house of representatives thereof.

And then the senate adjourned.

#### MONDAY, DECEMBER 25, 1829.

The senate assembled.

The lieutenant governor being absent, Mr. Hickman was unanimously called to the chair for the occasion.

Mr. Barbee from the joint committee of enrolments, reported that they had examined an enrolled resolution fixing a day for the election of presidents and directors of the branches of the bank of the commonwealth.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker,*

The speaker of the house of representatives having signed an enrolled resolution I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said resolution being the same reported to-day by Mr. Barbee, and it was delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

A message from the house of representatives by Mr. M'Millan :

*Mr. Speaker,*

The house of representatives have received official information, that the governor did on the 23d inst. approve and sign sundry enrolled bills which originated in that house of the following titles, to-wit :

An act to establish a branch bank of the bank of the commonwealth at Bowlinggreen.

An act to authorise William A. Fry and others to erect a bridge across the Kentucky river, and for other purposes.

An act to alter and extend the time of holding the Cumberland circuit court, and for other purposes.

An act for the benefit of Jonathan M'Connel and John M'Kinney.

An act for the benefit of the representatives of Samuel Beall, dec'd.

An act for the divorce of sundry persons.

An act to establish an election precinct in Nelson county.

An act to amend an act entitled an act to amend an act concerning occupying claimants of land.

An act to add part of the county of Casey to the county of Mercer, and for other purposes.

An act supplementary to an act to establish the bank of the commonwealth of Kentucky.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker,*

The house of representatives concur in the amendments proposed by the senate, to a bill entitled an act to regulate endorsements on executions, with an amendment ; in which they request the concurrence of the senate.

And then he withdrew.

The amendment was taken up, twice read and concurred in.

*Ordered,* That Mr. Pope inform the house of representatives thereof.

A message from the house of representatives by Mr. Lee :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act for the benefit of the heirs of Alexander Dunbar, deceased ; in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time.

And the rule being dispensed with, it was read a second and third time.

*Resolved,* That the said bill do pass, and that Mr. Lackey inform the house of representatives thereof.

The senate received information by Mr. Anderson, that the governor did on this day, approve and sign an enrolled resolution which originated in the senate, fixing a day for the election of presidents and directors of the branches of the bank of the commonwealth.

*Ordered,* That Mr. Barbee inform the house of representatives thereof.

The senate then according to the standing order of the day, resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Faulkner in the chair ; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Faulkner reported, that the committee had, according to order, had under consideration, a bill from the house of representatives, entitled an act to amend the act to extend and continue in force for a longer period, the charter of the bank of Kentucky, and had gone through the same with amendments ; which he handed in at the clerk's table.

The said amendments were concurred in, and the bill read a third time.

The question was then taken on the passage thereof, as amended, and it was resolved in the affirmative—Yeas 24, Nays 8.

The yeas and nays being required thereon by messrs. Perrin and Williams, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Barbee, Bowmar, Briscoe, Davidson, Eve, Ewing, Faulkner, Ford, Given, Gorin, Hickman, Jones, Marshall, M'Lean, Mountjoy, Owens, Pickett, Roper, Southgate, Ward, Weir, White, Williams and Wood.

Those who voted in the negative are—messrs. Anderson, Clay, Dollerhide, Harrison, Lackey, Perrin, Pope and Turner.

*Resolved*, That the bill as amended do pass, and that Mr Bowmar inform the house of representatives thereof and request their concurrence in the amendments.

Mr. Williams from the joint committee of enrolments, reported that they had examined sundry enrolled bills of the following titles, to-wit :

An act to amend the act appropriating fines and forfeitures for the purposes of promoting education.

An act to amend the law concerning the sale of non-residents' lands for taxes.

An act to regulate endorments on executions.

An act to amend the law concerning sheriffs and their deputies.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker*,

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills being the same reported to-day by Mr. Williams, and they were delivered to the joint committee of enrolments, to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

The senate then according to the standing order of the day, again resolved itself into a committee of the whole house on the state of the commonwealth, Mr. Gorin in the chair ; and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Gorin reported, that the committee had accor-



ding to order, had under consideration, a bill for establishing and laying off a town at the Iron Banks, and had gone through the same with an amendment; which he handed in at the clerk's table.

The question being taken upon concurring in the amendment which proposes to strike out the first section of the bill, and it was resolved in the negative—Yeas 5, Nays 28.

The yeas and nays being required thereon, by messrs. Owens and Ewing, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Mountjoy, Owens, Turner, White and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Eve, Ewing, Faulkner, Ford, Given, Gorin, Harrison, Hickman, Jones, Lackey, Marshall, M<sup>r</sup>. Lean, Perrin, Pickett, Roper, Slaughter, Southgate Ward, Weir and Wood.

The said bill was then amended at the clerk's table, and having been engrossed was read a third time.

*Resolved*, That the said bill do pass, and that the title be "an act for establishing and laying off a town at the Iron Banks."

*Ordered*, That Mr. Jones do carry said bill to the house of representatives, and request their concurrence.

The senate received information by Mr. Anderson, that the governor did on this day, approve and sign two enrolled bills which originated in the senate, of the following titles, to-wit:

An act to amend the law concerning the sale of non-residents' lands for taxes.

And an act to amend the act appropriating fines and forfeitures for the purposes of promoting education.

*Ordered*, That Mr. Barbee inform the house of representatives thereof.

A message from the house of representatives by Mr. Wickliffe:

*Mr. Speaker*,

The house of representatives concur in the amendments made by the senate to a bill entitled an act to amend and extend the charter of the bank of Kentucky; and they have passed a bill entitled an act to divide the fifth judicial district; in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time.

And the rule being dispensed with, it was read a second time, and committed to messrs. Pope, Roper and Marshall.

And after some time Mr. Pope reported said bill with an amendment, which was concurred in, and the bill ordered to be read a third time.

*Ordered*, That Mr. Williams inform the house of representatives that the senate are ready to proceed, by a joint vote, to the election of presidents and directors of the branches of the bank of the commonwealth.

A message from the house of representatives by Mr. Garrard :

*Mr. Speaker*,

The house of representatives have adopted a resolution in relation to the election of the presidents and directors of the branches of the bank of the commonwealth ; in which they request the concurrence of the senate.

And then he withdrew.

The said resolution was taken up and read as follows, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That they will observe the following rule in electing the presidents and directors of the branches of the bank of the commonwealth of Kentucky viz.

They will vote for each district according to its number ; and will vote for all the districts before the polls are compared, and the number required having the greatest number of votes on the first ballot, shall be declared elected.

*Ordered*, That Mr. Ewing inform the house of representatives that the senate will observe said rule in the elections.

A message from the house of representatives by Mr. M'Kee :

*Mr. Speaker*,

The house of representatives are ready to proceed, by a joint vote to the election of presidents and directors of the branch banks of the commonwealth.

And then he withdrew.

The senate received nominations for said offices, and after exchanging nominations with the house of representatives, proceeded in the election.

A committee was appointed to meet a committee from the house of representatives, to compare the polls and report the result ; who reported, and the following persons were declared duly elected presidents and directors to the several branches of the bank, as follows, to-wit :

## FLEMINGSBURG.

Wm. P. Fleming, President. George W. Botts, James Crawford, John D. Stockton, James Alexander, Larkin Anderson, Aaron Owens, Charles Ward and James Morris, Directors.

## FALMOUTH.

Press. G. Kennett, President. James King, James Wilson, Joseph K. Glenn, Samuel Hughey, Isaac Miller, John Baker, Willis Graves and William Clark, Directors.

## LEXINGTON.

James Morrison, President. Elisha Warfield, Charles Humphreys, Wm. R. Morton, James E. Davis, Matthew Kennedy, David Thomson, Elijah Craig and James Long, Directors.

## LOUISVILLE.

James D. Breckinridge, President. Matthew Love, Charles M. Thurston, George W. Chambers, Levi Tyler, John Rowan, Martin H. Wickliffe, Ben. Helm and Weir Tilford, Directors.

## HARTFORD.

Charles McCreery, President. Benj. Field, Rob't. Mosely, Richard L. Walker, Charles Henderson, John Cunningham, John Murray, James Hillyer and Joshua H. Davis, Directors.

## PRINCETON.

John H. Phelps, President. Enoch Prince, Robert P. B. Caldwell, Joseph R. Given, Jeremiah Rucker, Thomas G. Davis, Willis Morgan, Robert P. Henry and John Gray, Directors.

## GREENSBURG.

James Allen, President. Alexander Miller, William T. Bush, Joel Owsley, George T. Wood, Radford Maxey, Henry Embree, Joseph Akin and Elijah Creel, Directors.

## HARRODSBURG.

Samuel Daviess, President. Robert Crockett, David L. McKee, Nathan H. Hall, Jesse Coffey, Beriah Magoffin, William Robertson, David G. Cowan and Joel P. Williams, Directors.

## WINCHESTER.

Isaac Cunningham, President. Thomas G. Jones, Lewis Grigsby, John Miles, James Simpson, William Goodloe, John Oldham, Tandy Allen and Hugh Talbot, Directors.

## MOUNTSTERLING.

George Howard, President. Micajah Harrison, Samuel

D. Everett, John Williams, Paul Durrett, James M'Ilhenny, Thomas D. Owings, Henry B. Mayo and Joseph R. Ward, Directors.

#### SOMERSET.

William Fox, President. Henry James, John Griffin, Charles Hays, Benj. Eve, Michael Davidson, Isaac West, Wm. Smith and Joseph Porter, Directors.

#### BOWLING-GREEN.

John Loving, President. Jonathan Hobson, Wm. Blakey, Alex'r. Graham, George W. Call, John Wills, William J. Williams, James T. Morehead and Richard B. Dallam, Directors.

A message from the house of representatives by Mr. Cockerill :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act providing for the sale of the vacant lands west of the Tennessee river, and establish one or more counties on the south west of the Tennessee river, out of the counties of Caldwell and Livingston ; in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time and ordered to be read a second time.

And then the senate adjourned.

#### TUESDAY, DECEMBER 26, 1820.

The senate assembled.

A message from the house of representatives by Mr. O'Bannon :

*Mr. Speaker,*

The house of representatives have passed a bill entitled an act to change the terms of the Logan circuit court.

And then he withdrew.

A message from the house of representatives by Mr. Todd :

*Mr. Speaker,*

The house of representatives have passed a bill from the senate entitled an act to add part of Gallatin to Owen county.

And then he withdrew.

A message from the house of representatives by Mr. Warfield :



*Mr. Speaker,*

The house of representatives have adopted a resolution for an adjournment of the legislature; in which they request the concurrence of the senate.

And then he withdrew.

The said resolution was taken up, read and concurred in as follows, to-wit :

IN THE HOUSE REPRESENTATIVES, }

DECEMBER 25, 1820. }

*Resolved by the Senate and House of Representatives.* That their adjournment on Wednesday the 27th inst. shall be without day.

Extract, &c.

Att.

R. S. TODD, c. H. R.

*Ordered,* That Mr. Ewing inform the house of representatives thereof.

A bill from the house of representatives entitled an act to divide the fifth judicial district, was read a third time.

And the question being taken on the passage thereof, as amended, it was resolved in the affirmative—Yeas 22, Nays 11.

The yeas and nays being required thereon by messrs. Owens and Wood, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Clay, Crutcher, Davidson, Ewing, Ford, Given, Gorin, Hickman, Marshall, M'Lean, Mountjoy, Pickett, Pope, Roper, Slaughter, Smith, Southgate and Williams.

Those who voted in the negative are—messrs. Dollerhide, Faulkner, Harrison, Jones, Lackey, Owens, Perrin, Turner, Weir, White and Wood.

*Resolved,* That the bill as amended do pass, and that Mr. Pope inform the house of representatives thereof and request their concurrence in the amendment.

A message from the house of representatives by Mr. M'Kee :

*Mr. Speaker,*

The house of representatives concur in the amendments made by the senate to a bill entitled an act providing for surveying the military claims west of the Tennessee river,

And then he withdrew.

A bill from the house of representatives entitled an act providing for the sale of the vacant lands west of the Tennessee river, and establish one or more counties on the south

west of the Tennessee river, out of the counties of Caldwell and Livingston, was read a second time.

Mr. White moved to amend the bill by striking out after the enacting clause, the fourteen first sections of the bill.

The question being taken thereon, it was resolved in the affirmative—Yeas 19, Nays 11.

The yeas and nays being required thereon, by messrs. Jones and Perrin, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Clay, Dollerhide, Ewing, Ford, Given, Harrison, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Roper, Smith, Southgate, Ward, White, Williams and Wood.

Those who voted in the negative are—messrs. Barbee, Bowmar, Briscoe, Davidson, Faulkner, Hickman, Jones, Pope, Slaughter, Turner and Weir.

Mr. Turner then moved to lay the bill on the table until the last day of July next:

And the question being taken thereon, it was resolved in the negative—Yeas 5, Nays 26.

The yeas and nays being required thereon, by messrs. Jones and Perrin, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Clay, Davidson, Faulkner, Jones and Turner.

Those who voted in the negative are—messrs. Bowmar, Briscoe, Crutcher, Dollerhide, Ewing, Ford, Given, Gorin, Harrison, Hickman, Lackey, Marshall, Mountjoy, Owens, Perrin, Pickett, Pope, Roper, Slaughter, Smith, Southgate, Ward, Weir, White, Williams, and Wood.

The bill was then further amended at the clerk's table and read a third time.

*Resolved*, That the said bill do pass, and that the title be amended to read "an act for establishing four new counties on the south west of the Tennessee river, out of the counties of Caldwell and Livingston."

*Ordered*, That Mr. White do carry said bill to the house of representatives and request their concurrence.

Mr. Ewing from the committee of propositions and grievances, made the following report, to-wit :

The committee of propositions and grievances have according to order, had under consideration, a bill from the house of representatives, entitled "an act to add part of Gallatin county to the county of Boone," to them referred, and have come to the following resolution thereupon, to-wit :

*Resolved*, That the said bill ought to pass,

Which was concurred in.

The bill was amended at the clerk's table and read a third time,

*Resolved*, That the said bill as amended do pass, and that Mr. White inform the house of representatives thereof, and request their concurrence in the amendments.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker*,

The house of representatives concur in the amendments proposed by the senate to bills of the following titles, to-wit:

An act for the benefit of the heirs of Morgan Pitcher, deceased ; an act to add a part of Gallatin to Boone county ; an act to divide the fifth judicial district ; and they concur in the 2d, 3d and 4th, amendments made to a bill entitled an act providing for the sale of vacant lands west of the Tennessee river, and establish one or more counties on the south west of the Tennessee river, out of the counties of Caldwell and Livingston ; and disagree to the 1st and 5th amendments made thereto. And they concur in the amendment made by the senate upon concurring in those made by the house of representatives to a bill entitled an act for the benefit of the sheriffs of Greenup and Lewis counties.

And then he withdrew.

The fourth bill together with the amendments, were again taken up and read.

Mr. Flournoy moved to lay the same on the table until the first day of June next.

And the question being taken thereon, it was resolved in the negative—Yeas 11, Nays 20.

The yeas and nays being required thereon by messrs. Flournoy and Jones, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Clay, Davidson, Flournoy, Ford, Gorin, Jones, Mountjoy, Roper, Smith, Turner and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Dollerhide, Ewing, Given, Harrison, Hickman, Lackey, Marshall, Owens, Perrin, Pickett, Pope, Slaughter, Southgate, Ward, White and Wood.

*Resolved*, That the senate insist on their 1st and 5th amendments to said bill, and that Mr. Slaughter inform the house of representatives thereof.

Mr. Roper from the committee for courts of justice to whom was referred a bill from the house of representa-

tives, entitled an act for the benefit of the heirs of Peter Grow, dec'd. reported the same without amendment.

The question being taken on reading the said bill a third time, it was resolved in the negative.

And so the said bill was rejected.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

A message from the house of representatives by Mr. Warfield:

*Mr. Speaker*,

The house of representatives have passed bills from the senate of the following titles, to-wit:

An act regulating the manner of taxing attorneys' fees; an act for the benefit of Charles W. J. Jerome, and an act to establish election precincts in Livingston and Caldwell counties; and they have passed a bill entitled an act for the appropriation of money; in which they request the concurrence of the senate.

And then he withdrew.

The bill was read the first time.

And the rule being dispensed with, it was read a second time, and amended at the clerk's table.

Mr. Owens moved to amend the bill by attaching thereto the following section, to-wit:

*Be it further enacted*, That from and after the passage of this act, the salary of the treasurer of this commonwealth, shall be fourteen hundred dollars per annum.

And the question being taken thereon, it was resolved in the negative—Yeas 6, Nays 24.

The yeas and nays being required thereon by messrs. Crutcher and Ewing, were as follows, to-wit:

Those who voted in the affirmative are—messrs. Bowmar, Ford, Gorin, Marshall, Owens and Ward.

Those who voted in the negative are—messrs. Anderson, Barbee, Briscoe, Clay, Crutcher, Davidson, Dellerhide, Ewing, Faulkner, Flournoy, Given, Harrison, Jones, Mountjoy, Perrin, Pickett, Pope, Roper, Slaughter, Smith, Southgate, Turner, Weir and Wood.

Mr. Flournoy moved to amend the bill by inserting the following allowance, to-wit:

That the additional sum of three cents be allowed to the clerk appointed under the fourth section of an act entitled "an act to provide for copying certain records of Fayette county, which were saved when the quarter session and county court offices were burnt, for every hundred words so ca-



ped, to be paid agreeable to the provisions of the above recited act.

And the question being taken thereon, it was rejected.

And the rule being again dispensed with, the bill was read a third time.

*Resolved.* That the said bill as amended, do pass, and that Mr. Williams inform the house of representatives thereof, and request their concurrence in the amendments.

A message from the house of representatives by Mr. M'Kee :

*Mr. Speaker,*

The house of representatives insist on their disagreement to the 1st and 5th amendments made by the senate to a bill entitled an act providing for the sale of the vacant lands west of the Tennessee river, and establish one or more counties on the south west of the Tennessee river, out of the counties of Caldwell and Livingston ; they request a conference, and have appointed a committee on their part ; and they have passed a bill from the senate, entitled an act for establishing and laying off a town at the Iron Banks, with amendments ; in which they request the concurrence of the senate.

And then he withdrew.

Mr. Roper moved to lay the former bill on the table until the first day of June next.

And the question being taken thereon, it was resolved in the affirmative—Yeas 18, Nays 15.

The yeas and nays being required thereon by messrs. Barbee and Crutcher, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Clay, Davidson, Ewing, Faulkner, Flournoy, Ford, Jones, Lackey, Marshall, Mountjoy, Owens, Perrin, Pope, Roper, Smith, Southgate, White and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Crutcher, Dollerhide, Given, Gorin, Hickman, Pickett, Slaughter, Turner, Ward, Weir and Wood.

Mr. Owens moved to lay the latter bill and amendments on the table until the first day of June next.

And the question being taken thereon, it was resolved in the negative—Yeas 4, Nays 29.

The yeas and nays being required thereon, by messrs. Owens and Barbee, were as follows, to-wit :

Those who voted in the affirmative are—messrs. Mountjoy, Owens, Smith and Williams.

Those who voted in the negative are—messrs. Anderson, Barbee, Bowmar, Briscoe, Clay, Crutcher, Davidson, Dollerhide, Ewing, Faulkner, Flournoy, Ford, Given, Gorin, Harrison, Hickman, Jones, Marshall, Perrin, Pickett, Pope, Roper, Slaughter, Southgate, Turner, Ward, Weir, White and Wood.

The proposed amendments were then read.

*Resolved*, That the senate disagree to the first, and concur in the second with amendments, and that Mr. Roper inform the house of representatives thereof.

Mr. Barbee from the joint committee of enrolments, reported that they had examined sundry enrolled bills of the following titles, to-wit:

An act to amend and extend the charter of the bank of Kentucky.

An act for the benefit of the heirs of Alexander Dunbar, deceased.

An act for surveying the military claims west of the Tennessee river.

An act to change the terms of the Logan circuit court.

An act to add a part of Gallatin to Owen county.

An act for the benefit of the heirs of Morgan Pitcher, deceased.

An act to divide the 5th judicial district.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster:

*Mr. Speaker*,

The speaker of the house of representatives having signed sundry enrolled bills, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed said bills being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

Leave was given Mr. Pope to report a bill arranging the time of holding the Jefferson circuit and county courts.

Which was read the first time.

And the rule being dispensed with, it was read a second and third time. (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be "an act arranging the time of holding the Jefferson circuit and county courts, and for other purposes."

*Ordered*, That Mr. Pope do carry said bill to the house of representatives and request their concurrence.

The senate received information by the secretary of state, that the governor did on to-day, approve and sign two enrolled bills which originated in the senate, of the following titles, to-wit :

An act to change the terms of the Logan circuit court.

And an act to add part of Gallatin to Owen county.

*Ordered*, That Mr. Barbee inform the house of representatives thereof.

The senate received from the governor by the secretary of state, a message in writing.

And the rule being dispensed with, it was taken up and read as follows, to-wit :

*Gentlemen of the Senate,*

I nominate for your advice and consent, the following gentlemen to be commissioned during good behaviour, to-wit :

Paul I. Booker, a circuit judge in, and for this commonwealth, in the 13th judicial district, lately formed.

Richard Rudd, commonwealth's attorney, in and for said district.

JOHN ADAIR.

December 26th, 1820.

*Resolved*, That the senate advise and consent to said appointments.

*Ordered*, That messrs. Harrison and Crutcher inform the governor thereof.

And then the senate adjourned.

WEDNESDAY, DECEMBER, 27, 1820.

The senate assembled.

The lieutenant governor appeared and resumed the duties of the chair.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker,*

The house of representatives have passed bills from the senate of the following titles, to-wit :

An act to alter the time of holding the circuit and county courts of Lewis county ; an act providing for the collection

of the debts due the penitentiary, and for other purposes ; an act to authorize the insertion of advertisements in the Columbian ; an act for the benefit of Daniel Trabue, and others ; an act for the benefit of John M'Ferran, late deputy sheriff of Barren county, and an act to lessen the county levy to be collected in Greenup county in 1821. And they have adopted a resolution for printing and binding the acts and journals of the present session ; in which they request the concurrence of the senate.

And then he withdrew.

The resolution was taken up, twice read and concurred in.

*Ordered*, That Mr. Ewing inform the house of representatives thereof.

A message from the house of representatives by Mr. Munford :

*Mr. Speaker*,

The house of representatives have passed a bill entitled an act for the benefit of certain regiments of militia ; in which they request the concurrence of the senate.

And then he withdrew.

The said bill was read the first time and laid on the table.

Leave was given Mr. Crutcher to report a bill to alter and extend the terms of the Hardin, Nelson and Bullitt circuit courts.

Which was read the first time.

And the rule being dispensed with, it was read a second and third time, (having been engrossed.)

*Resolved*, That the said bill do pass, and that the title be "an act to alter and extend the terms of the Hardin, Nelson and Bullitt circuit courts."

*Ordered*, That Mr. Crutcher do carry said bill to the house of representatives and request their concurrence.

Mr. Wood read and laid on the table the following resolution, to wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the governor of this commonwealth be, and he is hereby requested, as soon as practicable, to cause to be run and marked, that part of the boundary line between this state and the state of Tennessee, which lies between the south eastern corner of this state and Walker's line, as marked on Cumberland river, near the mouth of Oby's river, agreeable to the ratification of the boundary line as lately established between this state and the state of Tennessee aforesaid.



And thereupon the rule being dispensed with, it was taken up, twice read and adopted.

*Ordered*, That Mr. Wood inform the house of representatives thereof, and request their concurrence.

A message from the house of representatives by Mr. Bray :

*Mr. Speaker,*

The house of representatives have passed a bill from the senate entitled an act arranging the times of holding the Jefferson circuit and county courts, and for other purposes, with an amendment ; in which they request the concurrence of the senate.

And then he withdrew.

The amendment was taken up, twice read and disagreed to.

*Ordered*, That Mr. Pope inform the house of representatives thereof.

A message from the house of representatives by Mr. M'Kee :

*Mr. Speaker,*

The house of representatives recede from their first amendment made to a bill from the senate, entitled an act for establishing and laying off a town at the Iron Banks ; and they concur in the amendments proposed by the senate upon concurring in the second amendment made by the house of representatives.

And then he withdrew.

A message from the house of representatives by Mr. Wickliffe :

*Mr. Speaker,*

The house of representatives concur in the amendments proposed by the senate to a bill entitled an act for the appropriation of money ; and they have passed a bill from the senate, entitled an act to alter and extend the terms of the Hardin, Nelson and Bullitt circuit courts.

And then he withdrew.

A message from the house of representatives by Mr. Ferguson :

*Mr. Speaker,*

The house of representatives adhere to their amendment to a bill entitled an act arranging the times of holding the Jefferson circuit and county courts, and for other purposes.

And then he withdrew.

The amendment was again taken up and read.

*Resolved*, That the senate recede from their disagreement to said amendment.

*Ordered*, That Mr. Pope inform the house of representatives thereof.

Mr. Crutcher read and laid on the table the following resolution, to-wit :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the further time of one year be allowed to L. Munsell, to pay the balance of the loan due by him to this commonwealth.

And thereupon the rule being dispensed with, it was taken up and adopted.

*Ordered*, That Mr. Crutcher inform the house of representatives thereof, and request their concurrence.

A message from the house of representatives by Mr. Todd :

*Mr. Speaker*,

The house of representatives have passed a bill from the senate entitled an act to amend the acts incorporating the Frankfort and Shelbyville, and Shelbyville and Louisville turnpike road companies ; with an amendment, in which they request the concurrence of the senate.

And then he withdrew.

The amendment was taken up, twice read and concurred in.

*Ordered*, That Mr. Pope inform the house of representatives thereof.

A message from the house of representatives by Mr. Warfield :

*Mr. Speaker*,

The house of representatives concur in resolutions from the senate for marking the line between this state and Tennessee, as lately established by the two states ; and for the benefit of Luke Munsell.

And then he withdrew.

Mr. Barbee from the joint committee of enrolments, reported that they had examined sundry enrolled bills and resolutions of the following titles, to-wit :

An act for the appropriation of money.

An act to add a part of the county of Gallatin to the county of Boone.

An act for the benefit of sheriffs.

An act to establish election precincts in Livingston and Caldwell counties.

An act for the benefit of Charles W. J. Jerome.

An act regulating the manner of taxing attorneys' fees.

A resolution for printing and binding the acts and journals.

An act for altering the time of holding the circuit and county courts of Lewis county.

An act providing for the collection of the debts due the penitentiary, and for other purposes.

To authorize the insertion of advertisements in the Columbian.

An act for the benefit of Daniel Trabue and others.

An act to lessen the county levy to be collected in Greenup county in 1821.

An act for establishing and laying off a town at the Iron Banks.

An act to alter and extend the terms of the Hardin, Nelson and Bullitt circuit court.

An act to amend the acts incorporating the Frankfort and Shelbyville, and Shelbyville and Louisville turnpike road companies.

A resolution for the benefit of Luke Munsell.

A resolution for marking the line between this state and Tennessee.

An act for the benefit of John M'Ferran, late deputy sheriff of Barren county.

An act arranging the times of holding the Jefferson circuit and county courts, and for other purposes.

And had found the same truly enrolled.

A message from the house of representatives by Mr. Lancaster :

*Mr. Speaker,*

The speaker of the house of representatives having signed sundry enrolled bills and resolutions, I am instructed to lay the same before the senate for the signature of their speaker.

And then he withdrew.

Whereupon the speaker signed the said bills and resolutions being the same reported to-day by Mr. Barbee, and they were delivered to the joint committee to be laid before the governor for his approbation and signature.

And after some time Mr. Barbee from said committee, reported that they had performed that duty.

The senate received information by the secretary of state, that the governor did on to-day, approve and sign sundry enrolled bills and resolutions which originated in the senate, of the following titles, to-wit :

An act for the benefit of sheriffs.

An act to establish election precincts in Livingston and Caldwell counties.

An act for the benefit of Charles W. J. Jerome.

An act regulating the manner of taxing attorneys' fees.

An act for altering the time of holding the circuit and county courts of Lewis county.

An act providing for the collection of debts due the penitentiary, and for other purposes.

An act to authorize the insertion of advertisements in the Columbian.

An act for the benefit of Daniel Trabue and others.

An act to lessen the county levy to be collected in Greenup county in 1821.

An act for establishing and laying off a town at the Iron Banks.

An act to alter and extend the terms of the Hardin, Nelson and Bullitt circuit courts.

An act to amend the acts incorporating the Frankfort and Shelbyville, and Shelbyville and Louisville turnpike road companies.

An act for the benefit of John M'Ferran, late deputy sheriff of Barren county.

An act arranging the times of holding the Jefferson circuit and county courts, and for other purposes.

A resolution for marking the line between this state and Tennessee.

And a resolution for the benefit of Luke Munsell.

*Ordered*, That the clerk inform the house of representatives thereof.

A message from the house of representatives by Mr. M'Kee:

*Mr. Speaker*,

I am directed to inform the senate that the house of representatives, have finished their legislative business, and are now ready to adjourn without day; and have appointed a committee on their part to co-operate with one from the senate, to wait on the governor to know of him whether he has any further communications to make.

And then he withdrew.

*Ordered*, That Mr. Roper inform the house of representatives that the senate have finished their legislative business, and are now ready to adjourn without day.

Messrs. Roper, Barbee and Davidson, were appointed a committee on the part of the senate, to wait on the gover-

no r.



The committee retired, and after some time returned, and Mr. Roper reported, that they had performed the duty assigned them ; and were informed by the governor, that he had no further communications to make to the legislature.

A message from the house of representatives by Mr. M'Affee :

*Mr. Speaker,*

I am directed to inform the senate that the house of representatives are now ready to adjourn without day.

And then he withdrew.

*Ordered,* That Mr. Ewing inform the house of representatives that the senate are now ready to adjourn without day.

The lieutenant governor delivered a valedictory address and adjourned the senate without day.

And having retired, Mr. Bowmar was called to the chair, and Mr. Owens offered the following resolution, to-wit :

*Resolved by the senate of Kentucky,* That the able and impartial services of the lieutenant governor, as speaker of this house during the present session, merit the approbation and thanks of the senate.

Which was unanimously adopted.